



*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 Council Meeting

Tuesday, February 18, 2014 7:00 P.M.

City of Lake Elmo | 3800 Laverne Avenue North

AGENDA

- 7:00** A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Order of Business
- E. Approval of Agenda
- F. Accept Minutes
1. Accept February 05, 2014 City Council Meeting Minutes
- G. Council Reports
- Mayor
 - Council
- 7:10** H. Proclamation: Alex Janochoski – Eagle Scout Rank Recognition
- I. Public Comments/Inquiries
- J. Consent Agenda
2. Approve Payment of Disbursements and Payroll
3. Accept Financial Report dated January 31, 2014
4. Accept Building Report dated January 31, 2014
5. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. – Pay Request No. 5
6. Encroachment Agreement – 9590 Whistling Valley Trail
7. Approve Pay Equity Report
- 7:20** K. Regular Agenda
8. Pumphouse No. 4 Improvements – Accept Bids and Award Contract; **RESOLUTION 2014-11.**
9. 2014 Seal Coat Project – Authorize Preparation of Plans and Specifications
10. 2012 Rain Gardens – Contractor Request to Reconsider Pay Request No. 2 (Final)
- 7:50** 11. Livestock/Animal Ordinance Amendment; **ORDINANCE 08-100, RESOLUTION 2014-12, ORDINANCE 08-101.**
12. Zoning Map Amendment; **ORDINANCE 08-102**
- 8:15** 13. Approve Lennar Final Plat; **RESOLUTION NO. 2014-13**
14. AUAR - Fee Schedule Amendment; **ORDINANCE 08-103**
- L. Staff Reports and Announcements
- City Administrator
 - City Attorney
 - Planning Director
 - City Engineer
 - Finance Director
 - City Clerk
- 8:40** M. Adjourn

******Item times are estimates and subject to change******

**LAKE ELMO CITY COUNCIL MINUTES
FEBRUARY 05, 2014**

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
FEBRUARY 05, 2014**

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

PRESENT: Mayor Mike Pearson, Council Members Wally Nelson, Anne Smith, Justin Bloyer, and Mike Reeves.

Also Present: City Administrator Zuleger, Community Development Director Klatt, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell.

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

Council Member Bloyer requested that Item 9 be pulled for discussion.

MOTION: Council Member Nelson moved TO APPROVE THE FEBRUARY 05, 2014 CITY COUNCIL AGENDA AS AMENDED. Council Member Smith seconded the motion. MOTION PASSED 5-0.

ITEM 1: ACCEPT MINUTES

Council Member Smith noted that during the discussion of the Met Council's previous interests regarding sewer growth versus total population, Mr. Klatt was not in fact employed by the City at the time the MOU was created.

THE JANUARY 21, 2013 CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS OF THE CITY COUNCIL.

COUNCIL REPORTS:

Council Member Reeves: Participated in a couple of Speak Your Peace presentations. The Lake Elmo Library is starting civility book group that will include speakers on related topics starting in March. Also joined Alyssa at Rotary Club to introduce the SYP project; Parks Commission/Council joint workshop coming up. Commission is focusing on improving the parks. Working on new park signs; the next Human Resources Committee meeting being scheduled.

Council Member Bloyer: Met with a state rep to discuss state bonding bill.

Mayor Pearson: Met with legislators; met with developers and property owners to discuss development; Public Safety Committee meeting; met with Washington County and MNDOT regarding Hwy 5 realignment; attended a MetroCities meeting on water quantity.

Council Member Smith: Wants all residents to know she is accessible by phone at any time.

Council Member Nelson: Attended Finance Committee meeting. Group recommended hiring new assessor for City.

PUBLIC INQUIRY/COMMENTS:

Susan Dunn, 11018 Upper 33rd St. N. thanked council and staff. She appreciates recent help provided. 1) Requested her single family home be removed from the Old Village planning area. She claimed that the original plan was not what has been implemented; 2) Requested open house style forum for planning changes in Village to explain true costs and impact; 3) Warned about water depletion issues due to growth; 4) Wants to know what the "well-ordered low-regulatory burden quality of life" means.

Library Director Linda Orsted spoke about upcoming events: 70th anniversary of D-Day in June. Bob Clemens, WWII Veteran and B-17 Navigator, visiting library to speak about his experiences in the Army Air Forces. Linda urged everyone to attend; on the 25th of February, David Steele will be speaking on

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who was Adolph Hitler?; explained the Blind Date with a Book program where readers can rate their “date”; explained the civility discussion group. Registration is required to participate.

PRESENTATIONS: SOUTH WASHINGTON WATERSHED DISTRICT

Matt Moore, South Washington Watershed District Administrator provided update on activities. Major accomplishment was realigning county roads 19, 20, and 22. That area has been an issue for over 20 years. Connecting to river has been progressing. Ground water management and supply has become a greater issue. Mr. Moore highlighted several other projects the watershed is currently working on.

Council Member Smith asked about the expected completion date for all phases. Mr. Moore stated that 5-6 years is target.

CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll in the amount of \$166,093.46
3. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. – Change Order No. 4.
4. Keats MSA Street and Trunk Watermain Improvements – (Compensating) Change Order No. 6.
5. Keats MSA Street and Trunk Watermain Improvements – Pay Request No. 6 (FINAL).
6. Approve 2014 Waste Hauler Licenses
7. New Assessor Contract for 2014
8. Zoning Text Amendment – Zoning District Cleanup; *Ordinance 08-098*
9. ~~Driveway Ordinance Amendment; *Ordinance 08-099*~~

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

ITEM 9: DRIVEWAY ORDINANCE AMENDMENT; ORDINANCE 08-099

Community Development Director Klatt provided overview of the proposed changes requested by Council. To provide clarification as to what materials should be deemed acceptable under the City Code, staff is suggesting an update to the City’s Driveway Standards to include the language “hot mix bituminous asphalt” as opposed to simply “bitumen.” The goal of the proposed language, “hot mix bituminous asphalt,” is to eliminate any potential confusion as to what is required.

The City is planning on investigating the rural areas to determine what is needed. Council Member Bloyer expressed his desire to postpone the amendment until spring after more investigation can be completed. He does not believe that hot-mix may be necessary in the rural areas.

Council Member Nelson is in favor of approving the clarifying language and then review Mr. Bloyer’s concerns about the ordinance in the spring. Mr. Klatt explained that there is no harm in clarifying the language in the meantime. Council Member Smith is okay with passing tonight, but wants it looked at similar to Mr. Bloyer.

MOTION: Mayor Pearson moved TO ADOPT ORDINANCE 08-099, CLARIFYING WHAT CONSTITUTES ACCEPTABLE DRIVEWAY MATERIALS IN THE DRIVEWAY STANDARDS SECTION OF THE CITY CODE. Council Member Reeves seconded the motion. MOTION PASSED 5-0.

Mr. Zuleger noted that investigation is expected to begin in April when the snow is gone.

REGULAR AGENDA

ITEM 10: 2014 STREET IMPROVEMENTS – PUBLIC HEARING; AUTHORIZE P&S; RESOLUTION ORDERING IMPROVEMENT; AWARD ENGINEERING CONTRACT; RES. 2014-10

LAKE ELMO CITY COUNCIL MINUTES

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City Engineer Griffin gave overview of the proposed project and the scope of the work by providing a recap of the feasibility study from 1/06/2014.

Council Member Smith asked about how long the rural roads last until being required to be reconstructed. Mr. Griffin explained that it depends on the original construction which varies greatly. Whether concrete curb and gutters were being used in each area was explained. It was noted that when an engineered road base and drainage layer are installed, the structural road base is expected to last 40-50 years before being replaced.

Mr. Griffin gave recap of proposed assessments for project. Mr. Griffin explained the cost recovery strategy regarding the West Lakeland properties that are not located in Lake Elmo but access Manning Trail and the West Lakeland section of Manning Trail that was left unimproved. West Lakeland is willing to enter a joint services agreement to improve this section and cover the un-assessable properties.

The difference in bituminous versus concrete curb and gutter was further explained. Mr. Griffin's opinion is that concrete is a much better product and any savings for bituminous are not realized in the long run. He noted that on the 2012 Street Improvement project the City had to install concrete curb and gutter around cul-de-sacs to ensure positive drainage. Mr. Griffin gave overview of the assessed properties and the respective amortization schedule. The project schedule was also explained.

Road widths and any cost savings realized in width reduction were discussed. Recently, narrowing roads ended up seeing an increased cost in past projects. Also, rural sections pose additional problems with narrower roads.

Council Member Reeves asked how the public meeting went. Mr. Griffin said that attendance was good.

MOTION: Council Member Nelson moved TO OPEN PUBLIC HEARING. Council Member Reeves seconded the motion. MOTION PASSED 5-0. Public hearing opened at 8:00 pm.

Joan Moseman 24th St. Ct. N. inquired about how the water would drain in the cul-de-sacs. City Engineer Griffin said that the intent of the project is to drain the road, but due to the stage where the project is at, surveys have not been done. That specific determination will take place at a later stage.

MOTION: Council Member Smith moved TO CLOSE PUBLIC HEARING. Council Member Nelson seconded the motion. MOTION PASSED 5-0. Public hearing closed at 8:02 pm.

MOTION: Council Member Smith moved TO ADOPT RESOLUTION NO. 2014-10, ORDERING THE 2014 STREET IMPROVEMENTS AND THE PREPARATION OF PLANS AND SPECIFICATIONS. Council Member Reeves seconded the motion. MOTION PASSED 3-2 (Nelson/Bloyer – Nay).

MOTION: Council Member Reeves moved TO APPROVE A PROFESSIONAL ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES CONTRACT TO BOLTON & MENK, INC. IN THE NOT TO EXCEED AMOUNT OF \$79,935. Council Member Smith seconded the motion. MOTION PASSED 5-0.

ITEM 11: SKETCH PLAN REVIEW – EASTON VILLAGE

Community Development Director Klatt provided overview of the submitted sketch plan. Development will be located in the Village planning area. It is situated on a unique property as it has multiple constraints: Union Pacific Railroad, Lake Elmo Airport, and Manning Avenue are all adjacent. Property consists of 98 acres and proposes to include 224 single family lots. The gross/net densities were explained. The property specifics and amount of open space were discussed. It was noted that applicant also owns the property north of the RR tracks for future phases and storm water management.

Mr. Klatt gave further information on the parameters of the airport zoning. The proposed plan does comply with airport zoning requirements. Staff is asking applicant to provide additional draining info for preliminary plat.

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Planning Commission reviewed the sketch plan on 1/27/2014. Parks Commission reviewed on 1/30/2014. Parks commission would prefer dedication fees in lieu of a new larger park. It would also be in favor of a few smaller pocket or neighborhood parks. Overall, the Parks Commission would like the dedication fees be used to improve or connect to Reid Park and the Old Village. Council Member Reeves expounded on the Parks Commission's preferences. They took a very holistic view of the neighborhood and primarily focusing on the parks and connections.

The length of the cul-de-sacs was discussed. There are 3 or 4 proposed that do not currently meet the city requirements. Council Member Smith wants neighborhood to be more walk-able, as that was the vision for the Village. Planning Commission Chair wants the Planning Commission to discuss the cul-de-sacs at next meeting.

Todd Erickson, engineer for project, provided his overview of the proposal.

Mayor Pearson stated that he is in agreement with much of the Parks Commission input regarding connectivity. The collector road entering neighborhood and the access to 30th Street should be reevaluated.

Mr. Reeves noted that this is the first development in the Village and will set the pace.

The issue of neighborhood interaction was discussed vis-à-vis cul-de-sacs versus grid plans.

Steve DeLapp 8468 Lake Jane Trail spoke about the proposal. He reiterated that Village connectivity was really important. Concerns about the location and related challenges must be addressed.

No formal action requested.

ITEM 12: APPROVAL OF AGREEMENT TO SUNSET MEMORANDUM OF UNDERSTANDING WITH THE METROPOLITAN COUNCIL

City Administrator Zuleger explained the letter from the Met Council outlining the terms of termination and the history of how the MOU came about. Terms include: Proof of payment for Section 34 development improvements and Lake Elmo Ave Sewer Infrastructure. City is anticipating complying in mid-March. Noted that if the MOU goes away, the City only has to live with the 2040 forecast. Staff recommends acceptance. It was explained that the obligation to grow will still remain post-MOU because the infrastructure is in the ground and has to be paid for.

Todd Ptacek 812 Julep Ave. N. spoke about the history of NIMBY in community. He is concerned about increased traffic on and south of 10th St. He urged Council to go forwardly prudently.

Mayor Pearson concurs with the shared sentiment that this is a great day for the City. Council Member Smith noted that this will relieve much pressure in the I-94 Corridor. Council Member Bloyer reiterated his opinion that development in the rest of Lake Elmo needs to be addressed so the City can be built out on its own terms and done with trying to comply with similar future Met Council mandates on growth.

Ms. Smith read letter Council received from **Kathy Sedro**, 8916 35th Street N., requesting the government choose the minimum growth numbers while complying with legal commitments. Mr. Bloyer read letter from resident **Curt Montieth**, 331 Julep Ave N., requesting the Council to limit all future development in the city, impose strict open space requirements, high standards, and require 2.5 acre lots in areas outside of the Village. The letter also requested sufficient recreation spaces.

Mr. Zuleger thanked planning staff for all the hard work over the past year to achieve this.

MOTION: Council Member Smith moved TO CONCUR WITH THE TERMS OF TERMINATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE METROPOLITAN COUNCIL AND THE CITY OF LAKE ELMO DATED JANUARY 14, 2014, AND INSTRUCT THE CITY

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ADMINISTRATOR TO SIGN THE TERMS AND RETURN THE LETTER AS REQUESTED. Mayor Pearson seconded the motion. MOTION PASSES 5-0.

SUMMARY REPORTS AND ANNOUNCEMENTS

City Administrator Zuleger: Park Commission workshop on 2/12/14; attending various water meetings (State bonding and groundwater); met with school district regarding developing a park by the middle school. District is donating \$5000 for flashing beacon on Hwy 5; Eastern Village development meetings; holding continued meetings with MNDOT and Washington County on transportation issues.

City Attorney Snyder: responding to routine staff requests and developer agreements.

Community Development Director Klatt: final Lennar plat is being reviewed; taking look at AUAR development costs. Plan on bring to council in near future.

City Engineer Griffin: completed the MS4 application; contacting property owners for Inwood booster station site.

Finance Director Bendel: chose a new assessor with finance committee; year-end reporting with county and state auditor; 2014 budget now available on website.

City Clerk Bell: reported livestock ordinance is to be discussed again at the Planning Commission meeting on 2/10/14. Expect to bring it to council on 2/18/14.

Mayor Pearson appointed Cullen Case to Public Safety Commission.

Mayor Pearson recessed the meeting at 9:22 pm.

ITEM 18: ADJOURN TO CLOSED SESSION PER MN STATE STATUTE 13D.05 SUBD. 3(A) FOR ANNUAL PERFORMANCE REVIEW OF CITY ADMINISTRATOR DEAN ZULEGER.

MOTION: Council Member Reeves moved TO ENTER CLOSED SESSION. Council Member Smith seconded the motion. MOTION PASSES 5-0. Meeting closed at 9:35 pm.

MOTION: Council Member Nelson moved TO RE-ENTER OPEN SESSION. Council Member Smith seconded the motion. MOTION PASSES 5-0. Meeting reopened at 10:57 pm.

MOTION: Mayor Pearson moved TO AWARD 3% RAISE TO CITY ADMINISTRATOR ZULEGER EFFECTIVE AT CONCLUSION OF CURRENT PAY PERIOD. Council Member Reeves seconded the motion. MOTION PASSES 4-1 (Smith - Nay).

Mayor Pearson adjourned the meeting at 11:01pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk

PROCLAMATION

A PROCLAMATION RECOGNIZING ALEX T. JANOCHOSKI ACHIEVING THE RANK OF EAGLE SCOUT

WHEREAS, Alex Janochoski has achieved, and will be honored with the presentation of the rank of Eagle Scout on Thursday, March 6, 2014, by the Boy Scouts of America at the Boy Scout Troop 162 Court of Honor; and

WHEREAS, in attaining the rank of Eagle Scout, this young man has demonstrated outstanding personal qualities associated with the Boy Scouts of America and Troop 162, including integrity, courage, perseverance, sacrifice, and service to others; and

WHEREAS, Alex Janochoski, Lake Elmo Troop 162, has demonstrated the leadership skills and dedication necessary to serve as Senior Patrol Leader, Assistant Senior Patrol Leader, Troop Guide, Troop Mentor, and continues serving his Troop as Assistant Scoutmaster; and

WHEREAS, the Lake Elmo City Council wishes to honor and congratulate this scout for his personal achievements of obtaining Scouting's highest rank of Eagle Scout; and

NOW, THEREFORE BE IT RESOLVED,

That the Lake Elmo City Council, on behalf of the Citizens of Lake Elmo, do hereby recognize the years dedicated with Lake Elmo Boy Scouts Troop 162; and

FURTHER, express the City of Lake Elmo's gratitude and appreciation for the planning, coordination, and supervision of the building of 12 Peterson-style bluebird houses to provide improved bluebird habitat in the area.

BE IT FURTHER RESOLVED, that the Troop Leaders and Committee are hereby applauded for their personal sacrifice, service and commitment to the Scouting Program and their guidance to this young man along the "Trail" to Eagle Scout; and

BE IT FURTHER RESOLVED, that the Lake Elmo City Council the extends its best wishes to Alex Janochoski, his family, and to Troop 162 for this special honor and for continued success in life and the unit.

ADOPTED, by the Lake Elmo City Council on February 18, 2014.

Mike Pearson, Mayor

ATTEST:

Adam R. Bell, City Clerk



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
CONSENT
ITEM #2
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$287,852.66

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Finance

FISCAL IMPACT: \$287,852.66

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$287,852.66. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

LEGISLATIVE HISTORY: NA

BACKGROUND INFORMATION/STAFF REPORT: The City of Lake Elmo has the fiduciary responsibility to conduct normal business operations. 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	\$ 13,828.68	Payroll Taxes to IRS & MN Dept of Revenue 2/6/14
ACH	\$ 6,810.71	Payroll Retirement to PERA 2/6/14
DD5301-DD5349	\$ 38,760.25	Payroll Dated (Direct Deposits) 2/6/14
40943	\$ 222.25	Accounts Payable Manual 2/5/14
40944 – 41011	\$ 226,190.77	Accounts Payable 2/18/14
2266-2299	\$ 2,040.00	Library Card Reimbursement 2/18/14
TOTAL	\$ 287,852.66	

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$287,852.66.

ATTACHMENTS:

1. Accounts Payable – check registers

Accounts Payable To Be Paid Proof List

User: denise
 Printed: 02/07/2014 - 2:42 PM
 Batch: 002-02-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
BECKER Becker Fire and Safety, LLC										
1212	01/24/2014	103.75	0.00	02/05/2014	Annual Fire Extinguisher Service #1212		-			0000
101-430-3100-44010	Repairs/Maint Bldg									
	1212 Total:	103.75								
1213	01/24/2014	26.75	0.00	02/05/2014	Annual Fire Extinguisher Service #1213		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	1213 Total:	26.75								
1214	01/24/2014	31.25	0.00	02/05/2014	Annual Fire Extinguisher Service #1214		-			0000
206-450-5300-44010	Repairs/Maint Bldg									
	1214 Total:	31.25								
1215	01/24/2014	60.50	0.00	02/05/2014	Annual Fire Extinguisher Service #1215		-			0000
101-420-2220-44040	Repairs/Maint Eqpt									
	1215 Total:	60.50								
	BECKER Total:	222.25								
	Report Total:	222.25								

Accounts Payable To Be Paid Proof List

User: joan z
 Printed: 02/13/2014 - 2:07 PM
 Batch: 003-02-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
AllgenPo Allgen Power Services										
5204	01/30/2014	374.96	0.00	02/18/2014	Repair Light - Station 1		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
	5204 Total:	374.96								
	AllgenPo Total:	374.96								
AMERICAN American Eng and Testing, Inc.										
61278	01/22/2014	865.10	0.00	02/18/2014	LE Sewer project - 3rd invoice		-	No		0000
602-495-9450-43030	Engineering Services									
	61278 Total:	865.10								
	AMERICAN Total:	865.10								
AMLEGION The American Legion										
	02/06/2014	20.00	0.00	02/18/2014	War Stories Vol 1		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	02/06/2014	25.00	0.00	02/18/2014	War Stories Vol 2		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	02/06/2014	7.00	0.00	02/18/2014	Shipping & handling		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
	Total:	52.00								
	AMLEGION Total:	52.00								
ANIMALHU Animal Humane Society										
1894	01/19/2014	418.11	0.00	02/18/2014	Animal Impound Fees 10/01/13-01/01/2014		-	No		0000
101-000-0000-20200	Accounts Payable									
	1894 Total:	418.11								
	ANIMALHU Total:	418.11								
ASPENMI Aspen Mills, Inc.										
144618 -144621	12/30/2013	264.95	0.00	02/18/2014	M Cornell, coveralls, boots		-	No		0000
101-000-0000-20200	Accounts Payable									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
144618 -144621	12/30/2013	42.50	0.00	02/18/2014	M Cornell, uniform pants		-			No 0000
101-000-0000-20200	Accounts Payable									
144618 -144621	12/30/2013	158.73	0.00	02/18/2014	Glanzer, shirt, jacket, brass, patches		-			No 0000
101-000-0000-20200	Accounts Payable									
144618 -144621	12/30/2013	180.98	0.00	02/18/2014	Malmquist, coveralls, nametag		-			No 0000
101-000-0000-20200	Accounts Payable									
144618 -144621	12/30/2013	145.00	0.00	02/18/2014	Supan, shirt, jacket		-			No 0000
101-000-0000-20200	Accounts Payable									
144618 -144621	Total:	792.16								
145909	02/05/2014	99.50	0.00	02/18/2014	Klein, Medic boots		-			No 0000
101-420-2220-42080	EMS Supplies									
	145909 Total:	99.50								
	ASPENMI Total:	891.66								
BAKERPAT Baker Patricia										
2014-01	02/10/2014	512.50	0.00	02/18/2014	Accounting Consulting Services -		-			No 0000
101-410-1520-43150	Contract Services				January					
	2014-01 Total:	512.50								
	BAKERPAT Total:	512.50								
BERTELSON Bertelson's										
WO-910809-1	02/04/2014	91.76	0.00	02/18/2014	Admin - D - Ring Binders		-			No 0000
101-410-1320-42000	Office Supplies									
WO-910809-1	02/04/2014	-2.65	0.00	02/18/2014	Credit - CP - WO 0845308-1		-			No 0000
101-420-2400-42000	Office Supplies									
	WO-910809-1 Total:	89.11								
WO-912489-1	02/11/2014	95.40	0.00	02/18/2014	Admin - paper towels		-			No 0000
101-410-1320-42000	Office Supplies									
	WO-912489-1 Total:	95.40								
	BERTELSON Total:	184.51								
BOLTONME Bolton & Menk, Inc										
0163362	01/22/2014	7,538.50	0.00	02/18/2014	2013.131 Well No4 - 5th invoice		-			No 0000
601-000-0000-20200	Accounts Payable									
	0163362 Total:	7,538.50								
	BOLTONME Total:	7,538.50								
BOYER Boyer Trucks										
818105	01/22/2014	36.88	0.00	02/18/2014	Accelerator pedal assembly		-			No 0000
101-430-3125-44040	Repairs/Maint Eqpt									
	818105 Total:	36.88								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
821669	02/03/2014	143.87	0.00	02/18/2014	Belt, mirrot, fuel sender		-			No 0000
101-430-3125-44040	Repairs/Maint Eqpt									
	821669 Total:	143.87								
821850	02/03/2014	132.48	0.00	02/18/2014	Eiectrical repair parts 06-1		-			No 0000
101-430-3125-44040	Repairs/Maint Eqpt									
	821850 Total:	132.48								
	BOYER Total:	313.23								
C A C Companion Animal Control, LLC										
I	01/01/2014	500.00	0.00	02/18/2014	Animal Control Services January		-			No 0000
101-420-2700-43150	Contract Services									
I	01/01/2014	90.00	0.00	02/18/2014	Dog/Cat PickUp - 7am-7pm		-			No 0000
101-420-2700-43160	Impounding									
I	01/01/2014	45.00	0.00	02/18/2014	Dog/Cat PickUp - 7pm-7am		-			No 0000
101-420-2700-43160	Impounding									
	I Total:	635.00								
	C A C Total:	635.00								
CARQUEST Car Quest Auto Parts										
2055-310233	01/29/2014	428.89	0.00	02/18/2014	Misc Electrical repair parts/batteries		-			No 0000
101-430-3125-44040	Repairs/Maint Eqpt									
	2055-310233 Total:	428.89								
	CARQUEST Total:	428.89								
CENCOLLE Century College										
535004	02/06/2014	400.00	0.00	02/18/2014	Officer Series - Instructor I, Witter		-			No 0000
101-420-2220-44370	Conferences & Training									
	535004 Total:	400.00								
	CENCOLLE Total:	400.00								
COMCAST Comcast										
877210535000891	01/27/2014	15.82	0.00	02/18/2014	Monthly Service		-			No 0000
101-420-2220-44300	Miscellaneous									
	877210535000891 Total:	15.82								
877210535001484	01/24/2014	4.49	0.00	02/18/2014	Monthly Service - February 2014		-			No 0000
101-410-1940-43210	Telephone									
	877210535001484 Total:	4.49								
	COMCAST Total:	20.31								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CTYBLOOM City of Bloomington										
January 2014	01/31/2014	31.50	0.00	02/18/2014	Lab Bacteria Tests		-			No 0000
601-494-9400-42270	Utility System Maintenance									
	January 2014 Total:	31.50								
	CTYBLOOM Total:	31.50								
CityMahto City of Mahtomedi										
01/31/2014	01/31/2014	16.00	0.00	02/18/2014	8 ID badges		-			No 0000
101-410-1320-44300	Miscellaneous									
01/31/2014	01/31/2014	38.00	0.00	02/18/2014	19 ID badges		-			No 0000
101-420-2220-44300	Miscellaneous									
01/31/2014	01/31/2014	14.00	0.00	02/18/2014	7 ID badges		-			No 0000
101-430-3100-44300	Miscellaneous									
	01/31/2014 Total:	68.00								
	CityMahto Total:	68.00								
CTYOAKDA City of Oakdale										
10000460-01	01/31/2014	2,887.54	0.00	02/18/2014	Water Service 1-94 1/2-2/2/2014		-			No 0000
601-494-9400-43820	Water Utility									
	10000460-01 Total:	2,887.54								
	CTYOAKDA Total:	2,887.54								
CTYROSEV City of Roseville										
218391,218354	02/04/2014	2,635.58	0.00	02/18/2014	Monthly IT Services - January		-			No 0000
101-410-1450-43180	Information Technology/Web									
218391,218354	02/04/2014	87.10	0.00	02/18/2014	Monthly Telephone - Admin		-			No 0000
101-410-1320-43210	Telephone									
218391,218354	02/04/2014	13.75	0.00	02/18/2014	Monthly Telephone - Building Inspect		-			No 0000
101-420-2400-43210	Telephone									
218391,218354	02/04/2014	13.75	0.00	02/18/2014	Monthly Telephone - Communication		-			No 0000
101-410-1450-43210	Telephone									
218391,218354	02/04/2014	13.75	0.00	02/18/2014	Monthly Telephone - Engineering		-			No 0000
101-410-1930-43210	Telephone									
218391,218354	02/04/2014	27.50	0.00	02/18/2014	Monthly Telephone - Finance		-			No 0000
101-410-1520-43210	Telephone									
218391,218354	02/04/2014	38.15	0.00	02/18/2014	Monthly Telephone - Planning		-			No 0000
101-410-1910-43210	Telephone									
218391,218354	02/04/2014	181.75	0.00	02/18/2014	Monthly Telephone - Public Works		-			No 0000
101-430-3100-43210	Telephone									
	218391,218354 Total:	3,011.33								
	CTYROSEV Total:	3,011.33								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
EMERGAPP Emergency Apparatus Maint. Inc										
72171	01/27/2014	1,182.29	0.00	02/18/2014	E1 repairs		-			No 0000
101-420-2220-44040	Repairs/Maint Eqpt									
	72171 Total:	1,182.29								
	EMERGAPP Total:	1,182.29								
EMERGAUT Emergency Automotive Tech, Inc										
22381	12/31/2013	1,307.86	0.00	02/18/2014	Emergency lights for boat		-			No 0000
101-000-0000-20200	Accounts Payable									
	22381 Total:	1,307.86								
22384	02/07/2014	938.35	0.00	02/18/2014	Backup Camera for TI		-			No 0000
101-420-2220-44040	Repairs/Maint Eqpt									
	22384 Total:	938.35								
	EMERGAUT Total:	2,246.21								
EMMONS&O Emmons & Olivier Resources Inc										
0156562	01/27/2014	138.00	0.00	02/18/2014	Savona Dev. Stormwater/Grading Plan		-			No 0000
803-000-0000-22900	Deposits Payable									
	0156562 Total:	138.00								
	EMMONS&O Total:	138.00								
Enright Enright Robert										
	02/10/2014	55.00	0.00	02/18/2014	Cable operations - 2/10/14 meeting		-			No 0000
101-410-1450-43620	Cable Operations									
	02/06/2014	13.75	0.00	02/18/2014	Cable Operations - training		-			No 0000
101-410-1450-43620	Cable Operations									
	02/11/2014	30.93	0.00	02/18/2014	Cable operations 2/11/14 CC		-			No 0000
101-410-1450-43620	Cable Operations				Workshop					
	02/10/2014	25.00	0.00	02/18/2014	Bonus		-			No 0000
101-410-1450-43620	Cable Operations									
	Total:	124.68								
	Enright Total:	124.68								
FERGUSON Ferguson Waterworks, Inc #2516										
67800	02/06/2014	433.49	0.00	02/18/2014	Hydrant & Meter repair parts		-			No 0000
601-494-9400-44030	Repairs/Maint Imp Not Bldgs									
	67800 Total:	433.49								
68629	02/06/2014	3,296.52	0.00	02/18/2014	Meters		-			No 0000
601-494-9400-42300	Water Meters & Supplies									
	68629 Total:	3,296.52								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
FERGUSON Total:		3,730.01								
FIORILLO Fiorillo Megan	02/05/2014	55.00	0.00	02/18/2014	Cable operations - 2/5/14 meeting		-	No		0000
101-410-1450-43620	Cable Operations									
	02/11/2014	30.93	0.00	02/18/2014	Cable Operations 2/11/2014 CC Workshop		-	No		0000
101-410-1450-43620	Cable Operations									
	Total:	85.93								
FIORILLO Total:		85.93								
FURYMOTO Fury Motors, Inc.	12/30/2013	544.97	0.00	02/18/2014	PTO electrical repair		-	No		0000
6135544/1	Other Equipment									
410-480-8000-45800	6135544/1 Total:	544.97								
FURYMOTO Total:		544.97								
Glamour Glamour	01/27/2014	15.00	0.00	02/18/2014	2 year subscription		-	No		0000
206-450-5300-44330	Dues & Subscriptions									
	Total:	15.00								
Glamour Total:		15.00								
GUSTAF Gustafson Richard	02/03/2014	200.93	0.00	02/18/2014	Reimbursement - Jeans & Tee		-	No		0000
02032014	Uniforms									
101-430-3100-44170	02032014 Total:	200.93								
GUSTAF Total:		200.93								
Hewlett Hewlett Packard	01/22/2014	1,061.04	0.00	02/18/2014	Computer Software		-	No		0000
53832433	Software Programs									
101-410-1520-43190	53832433 Total:	1,061.04								
Hewlett Total:		1,061.04								
JOHNSON& Johnson & Turner Attorneys	02/07/2014	2,707.75	0.00	02/18/2014	Legal Services-Civil 32406,32414		-	No		0000
101-410-1320-43040	Legal Services									
101-420-2150-43045	02/07/2014	4,330.00	0.00	02/18/2014	Legal Services-Prosecution 32473		-	No		0000
	Attorney Criminal									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
601-494-9400-43040	02/07/2014 Legal Services	164.00	0.00	02/18/2014	Legal Services-3M 32399		-	No		0000
206-450-5300-43040	02/07/2014 Legal Services	351.00	0.00	02/18/2014	Legal Services-Library 32400		-	No		0000
203-490-9070-43040	02/07/2014 Legal Services	682.50	0.00	02/18/2014	Legal Services-Lennar Matter		-	No		0000
	Total:	8,235.25								
	JOHNSON& Total:	8,235.25								
kathfuel Kath Fuel Oil Service Co										
444780	12/18/2013	6,297.69	0.00	02/18/2014	Fuel		-	No		0000
101-000-0060-20200	Accounts Payable									
	444780 Total:	6,297.69								
448513	01/16/2014	913.17	0.00	02/18/2014	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	448513 Total:	913.17								
448514	01/16/2014	1,997.96	0.00	02/18/2014	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	448514 Total:	1,997.96								
448530	01/16/2014	1,910.66	0.00	02/18/2014	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	448530 Total:	1,910.66								
	kathfuel Total:	11,119.48								
LandHome Landucci Homes										
	01/31/2014	1,500.00	0.00	02/18/2014	Refund Escrow #5261 9590 Whistling		-	No		0000
803-000-0000-22900	Deposits Payable				Tri					
	01/31/2014	-100.00	0.00	02/18/2014	Fee for Encroachment agreement		-	No		0000
101-410-1910-43510	Legal Publishing									
	Total:	1,400.00								
	LandHome Total:	1,400.00								
LEOIL Lake Elmo Oil, Inc.										
01/31/14	02/13/2014	310.00	0.00	02/18/2014	Fuel		-	No		0000
101-420-2220-42120	Fuel, Oil and Fluids									
	01/31/14 Total:	310.00								
5075523	01/04/2014	50.05	0.00	02/18/2014	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5075523 Total:	50.05								
5375358	01/11/2014	9.00	0.00	02/18/2014	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5375358 Total:	9.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
5375385	01/08/2014	34.01	0.00	02/18/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5375385 Total:	34.01								
5375425	01/18/2014	43.00	0.00	02/18/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5375425 Total:	43.00								
5375430	01/20/2014	10.78	0.00	02/18/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5375430 Total:	10.78								
5375465	01/17/2014	41.00	0.00	02/18/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5375465 Total:	41.00								
5675135	01/31/2014	34.75	0.00	02/18/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5675135 Total:	34.75								
5675173	01/29/2014	9.76	0.00	02/18/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5675173 Total:	9.76								
	LEOIL Total:	542.35								
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LibraryI Library Ideas										
36211	02/09/2014	150.00	0.00	02/18/2014	Set-up for Freading - ebook		-		No	0000
206-450-5300-42000	Office Supplies									
	36211 Total:	150.00								
36665	01/31/2014	3.50	0.00	02/18/2014	Pay-as-you-go January 2014		-		No	0000
206-450-5300-42000	Office Supplies									
	36665 Total:	3.50								
	LibraryI Total:	153.50								
<hr/>										
Lillie Newspapers Inc. Lillie Suburban										
Acct 007148	01/31/2014	28.60	0.00	02/18/2014	1/8 Ordinance 08-096		-		No	0000
101-410-1320-43510	Legal Publishing									
Acct 007148	01/31/2014	24.20	0.00	02/18/2014	1/15 Notice-PC 1/27/14		-		No	0000
101-410-1320-43510	Legal Publishing									
Acct 007148	01/31/2014	26.40	0.00	02/18/2014	1/15 Notice - 2014 St Imp		-		No	0000
101-410-1320-43510	Legal Publishing									
Acct 007148	01/31/2014	104.20	0.00	02/18/2014	1/22 AFB proj 2013.132		-		No	0000
101-410-1320-43510	Legal Publishing									
Acct 007148	01/31/2014	51.60	0.00	02/18/2014	1/29 Notice 2014 St Imp		-		No	0000
101-410-1320-43510	Legal Publishing									
	Acct 007148 Total:	235.00								
	Lillie Total:	235.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
LINNER Linner Electric Company, Inc.										
23465	01/06/2014	620.00	0.00	02/18/2014	Lions field light repair		-		No	0000
101-450-5200-44030	Repairs/Maint Imp Not Bldgs									
23465	01/06/2014	109.00	0.00	02/18/2014	City hall lot light		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
23465	01/06/2014	448.00	0.00	02/18/2014	PW lot lights		-		No	0000
101-430-3100-44030	Repairs/Maint Imp Not Bldgs									
	23465 Total:	1,177.00								
	LINNER Total:	1,177.00								
LOFF Loffler Companies, Inc.										
1696184	02/03/2014	491.24	0.00	02/18/2014	Copy machine Contract & Overage		-		No	0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
	1696184 Total:	491.24								
	LOFF Total:	491.24								
MARONEYS Maroney's Sanitation, Inc										
513423	02/06/2014	109.93	0.00	02/18/2014	Waste Removal - City Hall		-		No	0000
101-410-1940-43840	Refuse									
513423	02/06/2014	48.38	0.00	02/18/2014	Waste Removal - Fire		-		No	0000
101-420-2220-43840	Refuse									
513423	02/06/2014	210.94	0.00	02/18/2014	Waste Removal - Public Works		-		No	0000
101-430-3100-43840	Refuse									
513423	02/06/2014	210.94	0.00	02/18/2014	Waste Removal - Parks		-		No	0000
101-450-5200-43840	Refuse									
513423	02/06/2014	48.74	0.00	02/18/2014	Waste Removal - Library		-		No	0000
206-450-5300-43840	Refuse									
	513423 Total:	628.93								
	MARONEYS Total:	628.93								
MARVS Marv's Professional Tools										
268904	02/06/2014	123.05	0.00	02/18/2014	Tools		-		No	0000
101-430-3100-42400	Small Tools & Minor Equipment									
	268904 Total:	123.05								
	MARVS Total:	123.05								
MENARDSO Menards - Oakdale										
38071	02/10/2014	149.03	0.00	02/18/2014	Shop supplies		-		No	0000
101-430-3100-42150	Shop Materials									
	38071 Total:	149.03								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MENARDSO Total:		149.03								
MENARDST Meards - Stillwater										
35297	01/31/2014	6.75	0.00	02/18/2014	Repair Drain Stat 1		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
35297 Total:		6.75								
35458	02/03/2014	3.90	0.00	02/18/2014	Repair Drain Stat 1		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
35458 Total:		3.90								
MENARDST Total:		10.65								
METCOU Metropolitan Council										
1030302	02/03/2014	1,550.84	0.00	02/18/2014	Monthly Wastewater - March 2014		-		No	0000
602-495-9450-43820	Sewer Utility - Met Council									
1030302 Total:		1,550.84								
METCOU Total:		1,550.84								
MINITEX Minitex										
84065	01/23/2014	70.00	0.00	02/18/2014	Item barcodes		-		No	0000
206-450-5300-42000	Office Supplies									
84065 Total:		70.00								
MINITEX Total:		70.00								
MNFIAM MnFIAM										
1816	01/29/2014	102.00	0.00	02/18/2014	Fire Instructor packet		-		No	0000
101-420-2220-44350	Books									
1816 Total:		102.00								
MNFIAM Total:		102.00								
NASALTCO North American Salt Company										
71107872	01/22/2014	3,764.59	0.00	02/18/2014	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
71107872 Total:		3,764.59								
71109330	01/23/2014	3,761.27	0.00	02/18/2014	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
71109330 Total:		3,761.27								
71117567	01/31/2014	11,123.22	0.00	02/18/2014	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									
71117567 Total:		11,123.22								
71120088	02/04/2014	3,791.91	0.00	02/18/2014	Road Salt		-		No	0000
101-430-3125-42290	Sand/Salt									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	71120088 Total:	3,791.91								
	NASALTCO Total:	22,440.99								
NATFC National Fire Codes										
02/03/2014	02/13/2014	1,295.00	0.00	02/18/2014	Annual Renewal for NFPA codes		-	No		0000
101-420-2220-44330	Dues & Subscriptions	1,295.00								
	02/03/2014 Total:	1,295.00								
	NATFC Total:	1,295.00								
NEWMAN Newman Signs, Inc.										
TI-0270607	01/31/2014	3,167.27	0.00	02/18/2014	Sign materials		-	No		0000
101-430-3100-42260	Sign Repair Materials	3,167.27								
	TI-0270607 Total:	3,167.27								
	NEWMAN Total:	3,167.27								
ONECALL Gopher State One Call										
91618	01/31/2014	50.95	0.00	02/18/2014	FTP Tickets - January 2014		-	No		0000
101-430-3100-43150	Contract Services	50.95								
	91618 Total:	50.95								
	ONECALL Total:	50.95								
OURTEAMA Our Team Advantage Inc.										
691	01/29/2014	1,725.00	0.00	02/18/2014	Contact Snow plowing		-	No		0000
101-430-3125-43150	Contract Services	1,725.00								
	691 Total:	1,725.00								
716	01/31/2014	920.00	0.00	02/18/2014	Contract Snow plowing		-	No		0000
101-430-3125-43150	Contract Services	920.00								
	716 Total:	920.00								
	OURTEAMA Total:	2,645.00								
PERFORMA Performance Plus LLC										
3606	10/22/2013	475.00	0.00	02/18/2014	Annual FIT testing		-	No		0000
101-000-0000-20200	Accounts Payable	475.00								
	3606 Total:	475.00								
	PERFORMA Total:	475.00								
PINKY Pinky's Sewer Service, Inc.										
64558,64681	02/04/2014	200.00	0.00	02/18/2014	Pumped 2 septic tanks		-	No		0000
206-450-5300-44010	Repairs/Maint Bldg	200.00								
	64558,64681 Total:	200.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
PINKY Total:		200.00								
PIONEER Pioneer Press										
114520397	01/31/2014	231.00	0.00	02/18/2014	City Notices/Public hearings		-	No		0000
101-410-1450-43510 Public Notices										
114520397 Total:		231.00								
PIONEER Total:		231.00								
RESCUPAX Rescupax										
167	01/31/2014	2,006.00	0.00	02/18/2014	Water rescue equipment		-	No		0000
101-420-2220-42400 Small Tools & Equipment										
167 Total:		2,006.00								
RESCUPAX Total:		2,006.00								
RIVRCOOP River Country Cooperative										
141352	01/31/2014	449.10	0.00	02/18/2014	Fuel		-	No		0000
101-420-2220-42120 Fuel, Oil and Fluids										
141352 Total:		449.10								
RIVRCOOP Total:		449.10								
RONNAN Ronnan Ken										
	02/10/2014	55.00	0.00	02/18/2014	Cable operations 2/10/14 meeting		-	No		0000
101-410-1450-43620 Cable Operations										
	02/10/2014	25.00	0.00	02/18/2014	Bonus		-	No		0000
101-410-1450-43620 Cable Operations										
Total:		80.00								
RONNAN Total:		80.00								
ROSENBAU Rosenbauer - General Division										
11611	01/31/2014	425.00	0.00	02/18/2014	Install backup camera T2		-	No		0000
101-420-2220-44040 Repairs/Maint Eqpt										
11611 Total:		425.00								
ROSENBAU Total:		425.00								
S&T S&T Office Products, Inc.										
01QF2507	02/04/2014	23.44	0.00	02/18/2014	Office Supplies - Admin		-	No		0000
101-410-1320-42000 Office Supplies										
01QF2507	02/04/2014	5.64	0.00	02/18/2014	Office Supplies - Planning		-	No		0000
101-410-1910-42000 Office Supplies										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
01QF2507	02/04/2014	5.64	0.00	02/18/2014	Office Supplies - Finance		-	No		0000
101-410-1520-42000	Office Supplies									
01QF2507	02/04/2014	75.45	0.00	02/18/2014	Office Supplies - Fire		-	No		0000
101-420-2220-42000	Office Supplies									
01QF2507	Total:	110.17								
01QF3907	02/05/2014	110.97	0.00	02/18/2014	3 HP 950 XL inkjet cartridges		-	No		0000
206-450-5300-42000	Office Supplies									
01QF3907	Total:	110.97								
S&T	Total:	221.14								
SAMSCLUB Sam's Club										
01/16/2014		19.96	0.00	02/18/2014	Restock rehab supplies		-	No		0000
101-420-2220-44300	Miscellaneous									
01/16/2014		18.98	0.00	02/18/2014	Restock station supplies		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
01/16/2014		19.86	0.00	02/18/2014	Coffee for city hall		-	No		0000
101-410-1940-44300	Miscellaneous									
01/16/2014		90.00	0.00	02/18/2014	Annual membership renewal		-	No		0000
101-420-2220-44300	Miscellaneous									
Total:		148.80								
SAMSCLUB	Total:	148.80								
SHI SHI International Corp										
B01679442	01/27/2014	1,879.00	0.00	02/18/2014	Office Std, Office Pro Plus 2013		-	No		0000
101-410-1320-43190	Software Programs									
B01679442	Total:	1,879.00								
SHI	Total:	1,879.00								
SW/WC SW/WC Service Cooperatives										
01/29/2014	01/29/2014	24,030.00	0.00	02/18/2014	March 2014 Insurance Premiums		-	No		0000
101-000-0000-21706	Medical Insurance									
01/29/2014	Total:	24,030.00								
SW/WC	Total:	24,030.00								
TASCH T.A. Schifsky & Sons Inc										
Pay Request 6	01/27/2014	57,225.36	0.00	02/18/2014	Keats MSA Street		-	No		0000
409-480-8000-43030	Engineering Services									
Pay Request 6	01/27/2014	36,141.76	0.00	02/18/2014	Keats Trunk Watermain		-	No		0000
601-494-9400-43030	Engineering Services									
Pay Request 6	Total:	93,367.12								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
TASCH Total:		93,367.12								
TDS TDS Metrocom - LLC										
651-779-8882	02/13/2014	133.15	0.00	02/18/2014	Analog Lines - Fire		-	No		0000
101-420-2220-43210	Telephone									
651-779-8882	02/13/2014	209.30	0.00	02/18/2014	Analog Lines - Public Works		-	No		0000
101-430-3100-43210	Telephone									
651-779-8882	02/13/2014	123.75	0.00	02/18/2014	Analog Lines - Lift Station Alarms		-	No		0000
602-495-9450-43210	Telephone									
651-779-8882	02/13/2014	43.25	0.00	02/18/2014	Alarms - Well House #2		-	No		0000
601-494-9400-43210	Telephone									
651-779-8882 Total:		509.45								
TDS Total:		509.45								
TKDA TKDA, Inc.										
002014000175	02/05/2014	1,052.98	0.00	02/18/2014	2013.123 LE Sewer Infrastructure		-	No		0000
602-495-9450-43030	Engineering Services									
002014000175 Total:		1,052.98								
TKDA Total:		1,052.98								
TOWNCTRY Town & Country Clearing Co										
214620	02/01/2014	230.00	0.00	02/18/2014	Feb Janitorial Service		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
214620 Total:		230.00								
214661	02/01/2014	175.00	0.00	02/18/2014	February Janitorial - Library		-	No		0000
206-450-5300-44010	Repairs/Maint Bldg									
214661 Total:		175.00								
TOWNCTRY Total:		405.00								
TRKUTI Truck Utilities Inc.										
264517	01/30/2014	47.32	0.00	02/18/2014	PTO Yoke		-	No		0000
101-430-3120-42210	Equipment Parts									
264517 Total:		47.32								
2645715	02/03/2014	25.00	0.00	02/18/2014	Plow Truck 00-1		-	No		0000
101-430-3125-42210	Equipment Parts									
2645715 Total:		25.00								
TRKUTI Total:		72.32								
WASHTAX Washington County										
78016	01/31/2014	658.69	0.00	02/18/2014	2014 Truth in Taxation Notice		-	No		0000
101-410-1520-44300	Miscellaneous									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
78016 Total:		658.69								
P247771	02/03/2014	46.00	0.00	02/18/2014	Recorder/Registrar		-		No	0000
101-410-1910-42030 Printed Forms										
P247771 Total:		46.00								
WASHTAX Total:		704.69								
<hr/>										
WATERCON Water Conservation Svs Inc.										
4560	01/24/2014	371.28	0.00	02/18/2014	Leak Detection WM Break 33rd/Kraft		-		No	0000
601-494-9400-44300 Miscellaneous										
4560 Total:		371.28								
WATERCON Total:		371.28								
<hr/>										
Whiteani White Anita										
	02/06/2014	13.75	0.00	02/18/2014	Cable operations - 2/06/2014 Training		-		No	0000
101-410-1450-43620 Cable Operations										
Total:		13.75								
Whiteani Total:		13.75								
<hr/>										
XCEL Xcel Energy										
51-0117417-0	01/29/2014	31.58	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-430-3160-43810 Street Lighting										
51-0117417-0 Total:		31.58								
51-4504807-7	01/29/2014	214.03	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-450-5200-43810 Electric Utility										
51-4504807-7	01/29/2014	83.37	0.00	02/18/2014	Electrical Utility Service		-		No	0000
602-495-9450-43810 Electric Utility										
51-4504807-7	01/29/2014	37.20	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-430-3160-43810 Street Lighting										
51-4504807-7 Total:		334.60								
51-4572945-7	01/29/2014	43.30	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-430-3160-43810 Street Lighting										
51-4572945-7 Total:		43.30								
51-4576456-3	01/29/2014	1,438.03	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-420-2220-43810 Electric Utility										
51-4576456-3 Total:		1,438.03								
51-4580376-5	01/29/2014	510.34	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-410-1940-43810 Electric Utility										
51-4580376-5	01/29/2014	40.03	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-430-3160-43810 Street Lighting										
51-4580376-5	01/29/2014	1,166.81	0.00	02/18/2014	Electrical Utility Service		-		No	0000
101-410-1940-43810 Electric Utility										
51-4580376-5 Total:		1,717.18								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
51-4733556-8	01/29/2014	12.25	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-450-5200-43810	Electric Utility									
	51-4733556-8 Total:	12.25								
51-5044219-0	01/29/2014	108.44	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-450-5200-43810	Electric Utility									
	51-5044219-0 Total:	108.44								
51-5275289-3	01/29/2014	12.30	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-450-5200-43810	Electric Utility									
	51-5275289-3 Total:	12.30								
51-5356323-8	01/29/2014	2,000.14	0.00	02/18/2014	Electrical Utility Service		-	No		0000
601-494-9400-43810	Electric Utility									
	51-5356323-8 Total:	2,000.14								
51-5522332-2	01/29/2014	55.40	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-430-3160-43810	Street Lighting									
	51-5522332-2 Total:	55.40								
51-5747685-4	01/29/2014	219.93	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-450-5200-43810	Electric Utility									
	51-5747685-4 Total:	219.93								
51-6429583-8	01/29/2014	20.62	0.00	02/18/2014	Electrical Utility Service		-	No		0000
602-495-9450-43810	Electric Utility									
	51-6429583-8 Total:	20.62								
51-643397-2	01/29/2014	864.48	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-420-2220-43810	Electric Utility									
	51-643397-2 Total:	864.48								
51-6625457-1	01/29/2014	426.22	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-450-5200-43810	Electric Utility									
	51-6625457-1 Total:	426.22								
51-6736544-2	01/29/2014	1,932.94	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-430-3160-43810	Street Lighting									
	51-6736544-2 Total:	1,932.94								
51-6928283-3	01/29/2014	32.25	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-430-3160-43810	Street Lighting									
	51-6928283-3 Total:	32.25								
51-6956201-4	01/29/2014	16.02	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-450-5200-43810	Electric Utility									
	51-6956201-4 Total:	16.02								
51-6956201-4	01/29/2014	34.12	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-450-5200-43810	Electric Utility									
	51-6956201-4 Total:	34.12								
51-7538112-1	01/29/2014	50.14	0.00	02/18/2014	Electrical Utility Service		-	No		0000
101-430-3100-43810	Electric Utility									
	51-7538112-1 Total:	50.14								
51-8126093-5	01/29/2014	3,332.27	0.00	02/18/2014	Electrical Utility Service		-	No		0000
601-494-9400-43810	Electric Utility									
	51-8126093-5 Total:	3,332.27								
		160.11	0.00	02/18/2014	Electrical Utility Service		-	No		0000
		160.11								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
51-8711719-3	01/29/2014	13.66	0.00	02/18/2014	Electrical Utility Service		-			0000
101-430-3160-43810	Street Lighting									
	51-8711719-3 Total:	13.66								
510630620-5	01/29/2014	884.89	0.00	02/18/2014	Electrical Utility Service		-			0000
206-450-5300-43810	Electric Utility									
	510630620-5 Total:	884.89								
515916043-7	01/29/2014	23.83	0.00	02/18/2014	Electrical Utility Service		-			0000
602-495-9450-43810	Electric Utility									
	515916043-7 Total:	23.83								
	XCEL Total:	13,714.56								
YALEMECH Yale Mechanical										
143217	02/10/2014	375.07	0.00	02/18/2014	City Hall		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	143217 Total:	375.07								
143322	02/10/2014	215.80	0.00	02/18/2014	Annex		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	143322 Total:	215.80								
144350	02/10/2014	930.93	0.00	02/18/2014	Public Works		-			0000
101-430-3100-44010	Repairs/Maint Bldg									
	144350 Total:	930.93								
144351	02/10/2014	398.50	0.00	02/18/2014	Fire Station Stat 2		-			0000
101-420-2220-44010	Repairs/Maint Bldg									
	144351 Total:	398.50								
146706	01/31/2014	364.55	0.00	02/18/2014	Heat Repair Annex		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	146706 Total:	364.55								
	YALEMECH Total:	2,284.85								
Report Total:										226,190.77



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
CONSENT
ITEM #3
MOTION

AGENDA ITEM: January 2014 Financial Reporting

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Finance Committee

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Finance

FISCAL IMPACT: NA

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the January 2014 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 the comparative financial statements for the month of January 2014 reflecting the monthly and year to date detail, comparing the actual results to the 2014 Budget.

The most significant variances are highlighted below:

Revenues:

- Building Permit revenue for the month was 71% below budget. When the budget was prepared, it was anticipated that the Lennar development would be well on its way by this time with on-going building activity, which has not been the case.
- Animal license revenue is 95% above budget due to the timely reminder sent out with storm water bills. In the past licenses were renewed throughout the year rather than as of January 1st as they should have been as they are an annual license.
- Utility Permit revenue for the month was above budget due to right of way permits being needed related to the I94 development activities.
- Plan check fees are 76% under budget for the month as a result of the delay in the Lennar development build out mentioned earlier.

Expenses:

Most departments were at or below budget for the month. A few key items to note:

- The membership with Metro Cities was renewed in January for 2014 and is included in the Mayor and Council department expenses. This expense was not included in the 2014 budget.
- Assessor costs under the Administration department for the month were below budget due to the transition to the new assessor effective March 1st. As a result, there were no assessor costs for January 2014.
- The \$5k in contract services under the Administration department represent the 2014 annual legislative representation retainer with Messerli and Kramer.
- The miscellaneous expense under the Finance department for \$1.2k is the cost for the Northland Securities annual bond disclosure publication. This expense was included in the budget in March.
- Small tools and equipment under the Fire department is over budget by \$3k. This is primarily due to purchasing a Thermal Imaging camera and charger for \$4.8k due to it being found at an auction for far below its market value.
- Sand and salt for the month came in below budget by \$7.8k for the month due to the budget anticipating a very snowy winter for early 2014. A portion of the savings represents the cost savings due to no longer having to pay sales tax on the salt purchases effective January 1st.

- Repairs and maintenance equipment in the Parks and Recreation department was higher than budget due to repairs being needed on the 98 GMC truck for \$2.2k. These were not budgeted for in 2014.

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council accept the attached January Financial Report.

ATTACHMENT:

1. January Financial Reports

2014 By Month

Budget to Actual Comparative

For the month ending January 31, 2014

101-General Fund Detail

By Department

DEPT 410 - GEN'L GOV'T	MONTH				YTD							
	BUDGET		ACTUAL		BUDGET		ACTUAL		Variance (\$)		Variance (%)	
	Month	Month	Month	Month	Month	Month	YTD	YTD	YTD	YTD	YTD	YTD
REVENUE												
Current Ad Valorem Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Delinquent Ad Valorem Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Mobile Home Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Fiscal Disparities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Penalty & Interest on Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Liquor License	500.00	0.00	0.00	0.00	(500.00)	0.00	0.00	0.00	(500.00)	0.00	0.00%	0.00%
Wastehauler License	0.00	840.00	840.00	840.00	840.00	840.00	840.00	840.00	840.00	840.00	0.00%	0.00%
General Contractor License	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Heating Contractor License	1,100.00	750.00	750.00	750.00	(350.00)	0.00	750.00	750.00	(350.00)	750.00	0.00%	-31.82%
Blacktopping Contractor License	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Building Permits	10,000.00	2,858.55	2,858.55	2,858.55	(7,141.45)	0.00	2,858.55	2,858.55	(7,141.45)	2,858.55	0.00%	-71.41%
Heating Permits	500.00	1,620.00	1,620.00	1,620.00	1,120.00	0.00	1,620.00	1,620.00	1,120.00	1,620.00	0.00%	224.00%
Plumbing Permits	500.00	1,140.00	640.00	1,140.00	640.00	0.00	1,140.00	1,140.00	640.00	1,140.00	0.00%	128.00%
Sewer Permits	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Animal License	700.00	1,365.00	665.00	1,365.00	665.00	0.00	1,365.00	1,365.00	665.00	1,365.00	0.00%	95.00%
Utility Permits (ROW)	0.00	910.00	910.00	910.00	910.00	0.00	910.00	910.00	910.00	910.00	0.00%	0.00%
Burning Permit	200.00	0.00	0.00	0.00	(200.00)	0.00	0.00	0.00	(200.00)	0.00	0.00%	-100.00%
Massage Therapy Licenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Homestead Credit Aid	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
MSA-Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
State Fire Aid	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
PERA Aid	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Gravel Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Recycling Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Misc State Grant/Surcharge Rev	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Cable Franchise Revenue	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Zoning & Subdivision Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Plan Check Fees	7,000.00	1,652.81	1,652.81	1,652.81	(5,347.19)	0.00	1,652.81	1,652.81	(5,347.19)	1,652.81	0.00%	-76.39%
Sale of Copies, Books, Maps	18.50	5.50	5.50	5.50	(13.00)	0.00	5.50	5.50	(13.00)	5.50	0.00%	-70.27%
Assessment Searches	105.00	30.00	30.00	30.00	(75.00)	0.00	30.00	30.00	(75.00)	30.00	0.00%	-71.43%
Clean Up Days	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Cable Operation Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Fines	3,500.00	3,955.06	455.06	3,955.06	455.06	0.00	3,955.06	3,955.06	455.06	3,955.06	0.00%	13.00%
Miscellaneous Revenue	200.00	430.73	230.73	430.73	230.73	0.00	430.73	430.73	230.73	430.73	0.00%	115.37%
Internal Charges	200.00	190.00	(10.00)	190.00	(10.00)	0.00	190.00	190.00	(10.00)	190.00	0.00%	-5.00%
Interest Earnings	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Donations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00%
Total Revenue	24,523.50	15,747.65	(8,775.85)	15,747.65	(8,775.85)	0.00	15,747.65	15,747.65	(8,775.85)	15,747.65	0.00%	-35.79%

EXPENSE

1110 - Mayor & Council

PT Salaries	0.00	0.00	0.00	0.00%
FICA Contributions	0.00	0.00	0.00	0.00%
Medicare Contributions	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Mileage	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	0.00	0.00	0.00%
Dues & Subscriptions	0.00	3,397.00	(3,397.00)	0.00%
Conferences & Training	0.00	0.00	0.00	0.00%
Total Mayor & Council	0.00	3,397.00	(3,397.00)	0.00%

1320 - Administration

FT Salaries	13,568.00	12,956.35	611.65	4.51%
PERA Contributions	983.68	939.34	44.34	4.51%
ICMA Contributions	0.00	0.00	0.00	0.00%
FICA Contributions	841.22	760.09	81.13	9.64%
Medicare Contributions	196.74	177.74	19.00	9.66%
Health/Dental Insurance	3,620.00	3,620.00	0.00	0.00%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	500.00	943.84	(443.84)	-88.77%
Printed Forms	0.00	0.00	0.00	0.00%
Legal Services	5,000.00	0.00	5,000.00	100.00%
Newsletter/Website	0.00	0.00	0.00	0.00%
Assessing Services	2,000.00	0.00	2,000.00	100.00%
Information Technology	0.00	1,322.02	(1,322.02)	0.00%
Contract Services	0.00	5,000.00	(5,000.00)	0.00%
Software Programs	0.00	0.00	0.00	0.00%
Telephone	337.06	87.10	249.96	0.00%
Postage	500.00	599.40	(99.40)	-19.88%
Mileage	0.00	0.00	0.00	0.00%
Legal Publishing	200.00	0.00	200.00	0.00%
Insurance	0.00	214.67	(214.67)	0.00%
Cable Operation Expense	0.00	0.00	0.00	0.00%
Miscellaneous	50.00	91.52	(41.52)	-83.04%
Dues & Subscriptions	50.00	0.00	50.00	100.00%
Books	0.00	0.00	0.00	0.00%
Conferences & Training	360.00	1,110.00	(750.00)	-208.33%
Staff Development	0.00	0.00	0.00	0.00%
Total Administration	28,206.70	27,822.07	384.63	1.36%

1410 - Elections

PT Salaries	0.00	0.00	0.00	0.00%
Office Supplies	0.00	0.00	0.00	0.00%
Legal Publications/Notification	0.00	0.00	0.00	0.00%
Election Equipment	0.00	0.00	0.00	0.00%
Equipment Repair	0.00	0.00	0.00	0.00%
County Election Fees	0.00	0.00	0.00	0.00%
Printed Forms	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	0.00	0.00	0.00%
Total Elections	0.00	0.00	0.00	0.00%

1450 - Communications

FT Salaries	1,030.00	1,452.92	(422.92)	-41.06%
PERA Contributions	74.68	105.34	(30.66)	-41.06%
FICA Contributions	63.86	87.24	(23.38)	-36.61%
Medicare Contributions	14.94	20.41	(5.47)	-36.61%
Health/Dental Insurance	240.00	272.00	(32.00)	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Newsletter	0.00	0.00	0.00	0.00%
Office Supplies	0.00	0.00	0.00	0.00%
Info Technology/Web	3,500.00	2,749.55	750.45	21.44%
Telephone	130.00	75.82	54.18	41.68%
Public Notices	500.00	150.80	349.20	69.84%
Cable Operations	300.00	740.48	(440.48)	-146.83%
Conferences	0.00	0.00	0.00	0.00%
Repair/Maint Equipment	0.00	0.00	0.00	0.00%
Total Communications	5,853.48	5,654.56	198.92	3.40%

1520 - Finance

FT Salaries	6,760.00	6,905.99	(145.99)	-2.16%
PERA Contributions	490.10	500.67	(10.57)	-2.16%
FICA Contributions	419.12	403.19	15.93	3.80%
Medicare Contributions	98.02	94.28	3.74	3.82%
Health/Dental Insurance	1,504.00	1,088.00	416.00	27.66%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	25.00	12.49	12.51	50.04%
Printed Forms	0.00	0.00	0.00	0.00%
Audit Services	0.00	0.00	0.00	0.00%
Contract Services	0.00	0.00	0.00	0.00%
Software Programs	0.00	813.50	(813.50)	0.00%
Telephone	100.00	27.50	72.50	0.00%
Mileage	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	1,224.04	(1,224.04)	0.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00%
Conferences & Training	0.00	0.00	0.00	0.00%
Total Finance	9,396.24	11,069.66	(1,673.42)	-17.81%

1910 - Planning & Zoning

FT Salaries	12,298.00	12,880.79	12,880.79	12,298.00	(582.79)	-4.74%
PERA Contributions	891.61	933.87	933.87	891.61	(42.26)	-4.74%
FICA Contributions	762.48	754.64	754.64	762.48	7.84	1.03%
Medicare Contributions	178.32	176.48	176.48	178.32	1.84	1.03%
Health/Dental Insurance	2,678.00	2,678.00	2,678.00	2,678.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00	0.00	0.00%
Office Supplies	150.00	12.49	12.49	150.00	137.51	91.67%
Printed Forms	0.00	0.00	0.00	0.00	0.00	0.00%
Engineering Services	3,000.00	3,377.00	3,377.00	3,000.00	(377.00)	-12.57%
Contract Services	0.00	0.00	0.00	0.00	0.00	0.00%
Information Technology	0.00	0.00	0.00	0.00	0.00	0.00%
Telephone	100.00	54.64	54.64	100.00	45.36	45.36%
Postage	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	50.00	0.00	0.00	50.00	50.00	100.00%
Dues & Subscriptions	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%
Conferences & Training	0.00	0.00	0.00	0.00	0.00	0.00%
Total Planning & Zoning	20,108.41	20,867.91	20,867.91	20,108.41	(759.50)	-3.78%

1930 - Engineering Services

Engineering Services	4,000.00	4,180.86	4,180.86	4,000.00	(180.86)	-4.52%
Total Engineering Services	4,000.00	4,180.86	4,180.86	4,000.00	(180.86)	-4.52%

1940 - City Hall

Cleaning Supplies	0.00	0.00	0.00	0.00	0.00	0.00%
Building Repair Supplies	0.00	163.97	163.97	0.00	(163.97)	0.00%
Telephone	200.00	225.13	225.13	200.00	(25.13)	-12.57%
Utilities	1,100.00	0.00	0.00	1,100.00	1,100.00	100.00%
Refuse	108.32	0.00	0.00	108.32	108.32	100.00%
Repairs/Maint Contractual Bldg	600.00	288.87	288.87	600.00	311.13	51.86%
Repairs/Maint Contractual Equip	200.00	0.00	0.00	200.00	200.00	100.00%
Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00%
Total City Hall	2,208.32	677.97	677.97	2,208.32	1,530.35	69.30%

Total General Government

Total General Government	69,773.15	73,670.03	73,670.03	69,773.15	(3,896.88)	-5.59%
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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	0.00	4,250.00	100.00%
Total Prosecution	4,250.00	0.00	4,250.00	100.00%

2220 - Fire

FT Salaries	5,701.46	5,701.48	(0.02)	0.00%
PT Salaries	18,034.46	14,769.90	3,264.56	18.10%
PERA Contributions	873.05	1,065.32	(192.27)	-22.02%
FICA Contributions	1,471.63	859.61	612.02	41.59%
Medicare Contributions	344.17	289.97	54.20	15.75%
Health/Dental Insurance	1,230.00	1,142.00	88.00	7.15%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	0.00	0.00	0.00	0.00%
EMS Supplies	0.00	0.00	0.00	0.00%
Fire Prevention	250.00	0.00	250.00	0.00%
Fuel, Oil & Fluids	1,200.00	579.04	620.96	51.75%
Small Tools & Equip	1,900.00	4,908.85	(3,008.85)	0.00%
Physicals	575.00	0.00	575.00	100.00%
Information Technology	0.00	661.01	(661.01)	0.00%
Telephone	350.00	396.35	(46.35)	-13.24%
Radio	0.00	0.00	0.00	0.00%
Mileage	0.00	0.00	0.00	0.00%
Vehicle Insurance	0.00	0.00	0.00	0.00%
Electric Utility	1,800.00	0.00	1,800.00	100.00%
Refuse	47.68	0.00	47.68	100.00%
Repair/Maint Bldg	1,000.00	811.31	188.69	18.87%
Repair/Maint Equip	3,400.00	1,999.22	1,400.78	41.20%
Uniforms	250.00	0.00	250.00	100.00%
Miscellaneous	100.00	11.97	88.03	88.03%
Dues & Subscriptions	600.00	359.00	241.00	40.17%
Books	50.00	0.00	50.00	0.00%
Conferences & Training	500.00	0.00	500.00	100.00%
Total Fire	39,677.45	33,555.03	6,122.42	15.43%

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%

2400 - Building Inspection

FT Salaries	7,384.00	6,689.06	694.94	9.41%
PERA Contributions	535.34	484.97	50.37	9.41%
FICA Contributions	457.81	389.58	68.23	14.90%
Medicare Contributions	107.07	91.12	15.95	14.90%
Health/Dental Insurance	1,818.00	1,414.00	404.00	22.22%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	0.00	57.79	(57.79)	0.00%
Printed Forms	0.00	0.00	0.00	0.00%
Fuel, Oil & Fluids	0.00	0.00	0.00	0.00%
Engineering	750.00	541.50	208.50	27.80%
Surcharge Pmts	0.00	0.00	0.00	0.00%
Inspector Contract Services	0.00	270.00	(270.00)	0.00%
Information Technology	0.00	0.00	0.00	0.00%
Software Programs	4,180.00	0.00	4,180.00	0.00%
Telephone	45.66	62.74	(17.08)	-37.41%
Mileage	50.00	74.58	(24.58)	0.00%
Insurance	0.00	0.00	0.00	0.00%
Repairs/Maint Equip	0.00	49.99	(49.99)	0.00%
Uniforms	86.38	0.00	86.38	0.00%
Miscellaneous	0.00	0.00	0.00	0.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00%
Books	0.00	0.00	0.00	0.00%
Conferences & Training	280.00	0.00	280.00	0.00%
Total Building Inspections	15,694.26	10,125.33	5,568.93	35.48%

2500 - Emergency Communications

Contract Services	0.00	0.00	0.00	0.00%
Total Emergency Communications	0.00	0.00	0.00	0.00%

2700 - Animal Control

Printed Forms	0.00	0.00	0.00	0.00%
Contract Services	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	0.00	0.00	0.00%
Total Animal Control	0.00	0.00	0.00	0.00%

Total Public Safety

	59,621.71	44,314.58	15,307.13	25.67%
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DEPT 430 - PUBLIC WORKS

3100 - Public Works

FT Salaries	13,736.00	13,772.47	(36.47)	-0.27%
PT Salaries	0.00	1,158.45	(1,158.45)	0.00%
PERA Contributions	995.86	1,080.24	(84.38)	-8.47%
FICA Contributions	851.63	883.47	(31.84)	-3.74%
Medicare Contributions	199.17	206.63	(7.46)	-3.75%
Health/Dental Insurance	3,280.00	2,899.00	381.00	11.62%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	25.00	0.00	25.00	100.00%
Shop Materials	50.00	192.00	(142.00)	-284.00%
Building Repair Supplies	25.00	0.00	25.00	0.00%
Small Tools and Minor Equip	200.00	77.55	122.45	61.23%
Engineering Services	750.00	237.50	512.50	68.33%
Contract Services	100.00	0.00	100.00	100.00%
Information Technology	0.00	661.01	(661.01)	0.00%
Telephone	638.43	610.82	27.61	4.32%
Radio	0.00	0.00	0.00	0.00%
Mileage	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%
Electric Utility	2,000.00	0.00	2,000.00	100.00%
Refuse	207.82	0.00	207.82	100.00%
Fuel, Oil, Fluids (ALL depts)	4,000.00	0.00	4,000.00	100.00%
Repair/Maint Bldg	100.00	103.75	(3.75)	-3.75%
Repair/Maint NOT Bldg	50.00	0.00	50.00	100.00%
Repair/Maint Equip (out)	300.00	0.00	300.00	100.00%
Equipment Parts	0.00	0.00	0.00	0.00%
Uniforms	100.00	0.00	100.00	100.00%
Miscellaneous	50.00	280.40	(230.40)	-460.80%
Landscaping Material	0.00	0.00	0.00	0.00%
Dues & Subscriptions	0.00	100.00	(100.00)	0.00%
Conferences & Training	0.00	0.00	0.00	0.00%
Clean up Days	0.00	0.00	0.00	0.00%
Total Public Works	27,658.91	22,263.29	5,395.62	19.51%

3120 - Streets

Equipment Parts	100.00	519.00	(419.00)	0.00%
Street Maintenance Materials	1,000.00	0.00	1,000.00	100.00%
Sign Repair Materials	0.00	192.00	(192.00)	0.00%
Contract Services	0.00	0.00	0.00	0.00%
Repairs/Maint Equipment	200.00	0.00	200.00	0.00%
Total Streets	1,300.00	711.00	589.00	45.31%

3125 - Ice & Snow Removal

Landscaping Material	0.00	0.00	0.00	0.00%
Sand/Salt	15,000.00	7,246.67	7,753.33	0.00%
Contract Services	3,000.00	2,702.50	297.50	9.92%
Repairs/Maint Equipment	500.00	0.00	500.00	100.00%
Total Ice & Snow Removal	18,500.00	9,949.17	8,550.83	46.22%

3160 - Street Lighting

Street Lighting	2,400.00	0.00	2,400.00	100.00%
Total Street Lighting	2,400.00	0.00	2,400.00	100.00%

3200 - Recycling

Recycling Supplies	0.00	0.00	0.00	0.00%
Newsletter	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	0.00	0.00	0.00%
Total Recycling	0.00	0.00	0.00	0.00%

3250 - Tree Program

Contract Services	0.00	0.00	0.00	0.00%
Total Tree Program	0.00	0.00	0.00	0.00%

Total Public Works

	49,858.91	32,923.46	16,935.45	33.97%
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3125 - Ice & Snow Removal

Landscaping Material	0.00	0.00	0.00	0.00%
Sand/Salt	15,000.00	7,246.67	7,753.33	0.00%
Contract Services	3,000.00	2,702.50	297.50	9.92%
Repairs/Maint Equipment	500.00	0.00	500.00	100.00%
Total Ice & Snow Removal	18,500.00	9,949.17	8,550.83	46.22%

3160 - Street Lighting

Street Lighting	2,400.00	0.00	2,400.00	100.00%
Total Street Lighting	2,400.00	0.00	2,400.00	100.00%

3200 - Recycling

Recycling Supplies	0.00	0.00	0.00	0.00%
Newsletter	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	0.00	0.00	0.00%
Total Recycling	0.00	0.00	0.00	0.00%

3250 - Tree Program

Contract Services	0.00	0.00	0.00	0.00%
Total Tree Program	0.00	0.00	0.00	0.00%

Total Public Works

	49,858.91	32,923.46	16,935.45	33.97%
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DEPT 450 - CULTURE, RECREATION

5200 - Parks & Recreation

FT Salaries	10,150.00	8,885.31	1,264.69	12.46%
PT Salaries	0.00	1,147.28	(1,147.28)	0.00%
PERA Contributions	735.88	714.55	21.33	2.90%
FICA Contributions	629.30	600.64	28.66	4.55%
Medicare Contributions	147.18	140.44	6.74	4.58%
Health/Dental Insurance	1,108.00	290.16	817.84	73.81%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Shop Materials	0.00	0.00	0.00	0.00%
Chemicals	0.00	0.00	0.00	0.00%
Equipment Parts	0.00	0.00	0.00	0.00%
Building Repair Supplies	0.00	0.00	0.00	0.00%
Landscaping Materials	0.00	0.00	0.00	0.00%
Small Tools and Minor Equip	0.00	0.00	0.00	0.00%
Telephone	0.00	95.58	(95.58)	0.00%
Mileage	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%
Electric Utility	0.00	0.00	0.00	0.00%
Refuse	0.00	0.00	0.00	0.00%
Repair/Maint Bldg	0.00	27.64	(27.64)	0.00%
Repair/Maint NOT Bldg	0.00	33.94	(33.94)	0.00%
Repair/Maint Equip	0.00	2,178.20	(2,178.20)	0.00%
Rental Buildings	300.00	0.00	300.00	100.00%
Miscellaneous	100.00	649.75	(549.75)	0.00%
Total Parks & Recreation	13,170.36	14,763.49	(1,593.13)	-12.10%

DEPT 460 - COMP ADJ

DEPT 490 - CONTINGENCY FUND

DEPT 493 - OTH FINANCING

GRAND TOTAL ALL DEPTS

Net Income over Expenses

DEPT 460 - COMP ADJ	0.00	0.00	0.00	0.00%
DEPT 490 - CONTINGENCY FUND	0.00	0.00	0.00	0.00%
DEPT 493 - OTH FINANCING	0.00	0.00	0.00	0.00%
GRAND TOTAL ALL DEPTS	192,424.13	165,671.56	26,752.57	13.90%
Net Income over Expenses	(167,900.63)	(149,923.91)	17,976.72	0.00%



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
CONSENT ITEM #4

AGENDA ITEM: New Single Family Home Permit Report

SUBMITTED BY: Rick Chase, Building Official

THROUGH: Rick Chase, Building Official

REVIEWED BY: Kyle Klatt, Planning Director

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff.....Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion.....Mayor Facilitates

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the monthly new single family home permit report for January of 2014. No specific motion is needed as this is recommended as part of the *Consent Agenda*.

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
New homes	0	2	0	1
Total valuation	NA	\$806,200	NA	\$275,000
Average home value	NA	\$403,100	NA	\$275,000
Total Building Permits	8	8	11	12
Total Valuation (New homes included)	\$167,840	\$861,994	\$214,061	\$636,287

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council accept the January 2014 monthly building permit report.



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
CONSENT
ITEM # 5

AGENDA ITEM: Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street
– Pay Request No. 5

SUBMITTED BY: Ryan Stempski, Project Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

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

- 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

POLICY RECOMMENDER: Engineering

FISCAL IMPACT:

None. Partial payment is proposed in accordance with the Contract for the project. Payment remains within the authorized scope and budget.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Pay Request No. 5 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Pay Request No. 5 to Minger Construction, Inc. in the amount of \$797,433.18 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Minger Construction Inc., the Contractor for the project, has submitted Partial Pay Estimate No. 5 in the amount of \$797,433.18. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$155,813.39.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 5 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Pay Request No. 5 to Minger Construction, Inc. in the amount of \$797,433.18 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street.”

ATTACHMENT(S):

1. Partial Pay Estimate No. 5

PROJECT PAY FORM


PARTIAL PAY ESTIMATE NO. <u>5</u>	FOCUS ENGINEERING, inc.
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LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS PROJECT NO. 2013.123	PERIOD OF ESTIMATE FROM <u>1/2/2014</u> TO <u>2/1/2014</u>
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PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER	CONTRACTOR: MINGER CONSTRUCTION, INC. 2471 GALPIN COURT, SUITE 110, PO BOX 236 CHANHASSEN, MN 55317-0236 ATTN: AARON HOEFS, PROJECT MANAGER
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	10/15/2013	\$0.00	\$19,603.70	1. Original Contract Amount	\$3,463,201.60
2	11/6/2013	\$9,070.00	\$0.00	2. Net Change Order Sum	-\$4,480.36
3	1/6/2014	\$0.00	\$0.00	3. Revised Contract (1+2)	\$3,458,721.24
4	2/5/2014	\$6,053.34	\$0.00	4. *Work Completed	\$3,116,267.87
TOTALS		\$15,123.34	\$19,603.70	5. *Stored Materials	\$0.00
NET CHANGE		(\$4,480.36)		6. Subtotal (4+5)	\$3,116,267.87
				7. Retainage* <u>5.0%</u>	\$155,813.39
				8. Previous Payments	\$2,163,021.30
				9. Amount Due (6-7-8)	\$797,433.18
				*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE:	<u>9/9/2013</u>	ORIGINAL DAYS	<u>265</u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u>2/14/2014</u>	REVISED DAYS	<u>0</u>	YES	<input checked="" type="checkbox"/>
FINAL COMPLETION:	<u>6/1/2014</u>	REMAINING	<u>120</u>	NO	<input type="checkbox"/>

ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.	FOCUS Engineering, inc.  _____ ENGINEER <u>2-6-2014</u> _____ DATE
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CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.	CONTRACTOR _____ BY _____ DATE
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APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA	
_____ BY	_____ BY
_____ DATE	_____ DATE

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 1 - GENERAL									
1	MOBILIZATION	LS	1	\$33,000.00	\$33,000.00	0.00	\$0.00	1	\$33,000.00
2	TRAFFIC CONTROL	LS	1	\$16,500.00	\$16,500.00	0.25	\$4,125.00	0.91	\$15,015.00
3	SILT FENCE	LF	3654	\$1.65	\$6,029.10	0.00	\$0.00	1,827	\$3,014.55
4	ROCK CONSTRUCTION ENTRANCE	EA	3	\$970.00	\$2,910.00	0.00	\$0.00	0.5	\$485.00
5	WATER FOR DUST CONTROL	MGAL	2	\$278.00	\$556.00	0.00	\$0.00	0	\$0.00
6	TREE REMOVAL	EA	206	\$266.00	\$54,796.00	0.00	\$0.00	209	\$55,594.00
7	CLEARING & GRUBBING	AC	1.9	\$4,160.00	\$7,904.00	0.00	\$0.00	1.9	\$7,904.00
8	INLET PROTECTION	EA	4	\$350.00	\$1,400.00	0.00	\$0.00	6	\$2,100.00
9	HYDRO MULCH W/ SEED & FERTILIZER	AC	9.49	\$3,700.00	\$35,113.00	0.00	\$0.00	4.30	\$15,910.00
10	SEEDING (WETLAND MIX)	AC	0.2	\$4,250.00	\$850.00	0.00	\$0.00	0	\$0.00
11	EROSION CONTROL BLANKET (WOOD FIBER)	SY	5625	\$1.10	\$6,187.50	0.00	\$0.00	0	\$0.00
12	TOPSOIL BORROW	CY	500	\$13.00	\$6,500.00	0.00	\$0.00	0	\$0.00
13	DITCH CHECK	LF	60	\$5.25	\$315.00	0.00	\$0.00	0	\$0.00
14	MODULAR BLOCK RETAINING WALL	SF	60	\$55.00	\$3,300.00	0.00	\$0.00	0	\$0.00
15	SALVAGE/SALVAGE AND REINSTALL EXISTING IRRIGATION PUMP HOUSE	LS	0	\$1,400.00	\$0.00	0.00	\$0.00	0	\$0.00
16	RAIN GARDEN	LS	1	\$11,500.00	\$11,500.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 1					\$186,860.60		\$4,125.00		\$133,022.55
DIVISION 2 - SANITARY SEWER									
1	CONNECT TO EXISTING MANHOLE	EA	1	\$11,600.00	\$11,600.00	0.00	\$0.00	1	\$11,600.00
2	SALVAGE & REINSTALL EXISTING SANITARY SEWER MANHOLE	EA	1	\$3,760.00	\$3,760.00	0.00	\$0.00	1	\$3,760.00
3	SALVAGE & REINSTALL EXISTING SANITARY SEWER	LF	100	\$84.00	\$8,400.00	0.00	\$0.00	52	\$4,368.00
4	LIFT STATION STRUCTURE, VALVE VAULT, AND PIPING	LS	1	\$187,000.00	\$187,000.00	0.00	\$0.00	1	\$187,000.00
5	LIFT STATION PUMPS AND ACCESSORIES	LS	1	\$66,750.00	\$66,750.00	0.20	\$13,350.00	0.95	\$63,412.50
6	LIFT STATION ELECTRICAL AND CONTROLS	LS	1	\$134,000.00	\$134,000.00	0.60	\$80,400.00	0.85	\$113,900.00
7	GENERATOR	LS	1	\$98,250.00	\$98,250.00	0.90	\$88,425.00	0.95	\$93,337.50
8	CHEMICAL FEED SYSTEM	LS	1	\$243,000.00	\$243,000.00	0.85	\$206,550.00	0.85	\$206,550.00
9	16" HDPE FORCEMAIN, INSTALLED BY HDD	LF	15649	\$81.00	\$1,267,569.00	4,200.00	\$340,200.00	14,319	\$1,159,839.00
10	16" HDPE FORCEMAIN, INSTALLED BY OPEN CUT	LF	399	\$57.00	\$22,743.00	0.00	\$0.00	438	\$24,966.00
11	8" PVC, SDR 35 SANITARY SEWER (10'-15' DEPTH)	LF	15	\$155.00	\$2,325.00	0.00	\$0.00	15	\$2,325.00
12	8" PVC, SDR 35 SANITARY SEWER (15'-20' DEPTH)	LF	15	\$155.00	\$2,325.00	0.00	\$0.00	15	\$2,325.00
13	8" PVC, SDR 35 SANITARY SEWER (20'-25' DEPTH)	LF	0	\$155.00	\$0.00	0.00	\$0.00	0	\$0.00
14	18" PVC, SDR 26 SANITARY SEWER (10-15' DEPTH)	LF	213	\$91.00	\$19,383.00	0.00	\$0.00	211	\$19,201.00
15	18" PVC, SDR 26 SANITARY SEWER (15-20' DEPTH)	LF	193	\$91.00	\$17,563.00	0.00	\$0.00	193	\$17,563.00
16	18" PVC, PS115 SANITARY SEWER (30-35' DEPTH)	LF	25	\$258.00	\$6,450.00	0.00	\$0.00	20	\$5,160.00
17	24" SANITARY SEWER (0-10' DEPTH)	LF	45	\$116.00	\$5,220.00	0.00	\$0.00	61	\$7,076.00
18	24" SANITARY SEWER (10-15' DEPTH)	LF	999	\$116.00	\$115,884.00	0.00	\$0.00	1,513	\$175,508.00
19	24" SANITARY SEWER (15-20' DEPTH)	LF	1353	\$116.00	\$156,948.00	0.00	\$0.00	934	\$108,344.00
20	24" SANITARY SEWER (20-25' DEPTH)	LF	583	\$116.00	\$67,628.00	0.00	\$0.00	486	\$56,376.00
21	24" SANITARY SEWER (25-30' DEPTH)	LF	213	\$116.00	\$24,708.00	0.00	\$0.00	202	\$23,432.00
22	24" SANITARY SEWER (30-35' DEPTH)	LF	92	\$116.00	\$10,672.00	0.00	\$0.00	153	\$17,748.00
23	24" SANITARY SEWER (35'-40' DEPTH)	LF	169	\$116.00	\$19,604.00	0.00	\$0.00	105	\$12,180.00
24	6" PVC, SDR 26 SOLVENT WELD SERVICE PIPE	LF	20	\$82.00	\$1,640.00	0.00	\$0.00	120	\$9,840.00
25	6" ON 18" WYE BRANCH	EA	1	\$1,140.00	\$1,140.00	0.00	\$0.00	6	\$6,840.00
26	48" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	12	\$4,900.00	\$58,800.00	0.00	\$0.00	11	\$53,900.00
27	54" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	4	\$8,400.00	\$33,600.00	0.00	\$0.00	5	\$42,000.00
28	48" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	120.1	\$73.00	\$8,767.30	0.00	\$0.00	112.0	\$8,173.08
29	54" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	44.1	\$120.00	\$5,292.00	0.00	\$0.00	56.2	\$6,746.40
30	72" CLEANOUT MANHOLE	EA	5	\$10,400.00	\$52,000.00	2.00	\$20,800.00	5	\$52,000.00
31	72" AIR RELEASE MANHOLE	EA	4	\$13,500.00	\$54,000.00	0.00	\$0.00	3	\$40,500.00
32	6" DIP CLASS 50 SANITARY SEWER	LF	0	\$108.00	\$0.00	0.00	\$0.00	0	\$0.00
33	18" DIP CLASS 50 SANITARY SEWER	LF	18	\$138.00	\$2,484.00	0.00	\$0.00	20	\$2,760.00
34	24" DIP CLASS 50 SANITARY SEWER	LF	36	\$301.00	\$10,836.00	0.00	\$0.00	40	\$12,040.00
35	EXTERNAL MANHOLE DROP	EA	3	\$9,300.00	\$27,900.00	0.00	\$0.00	3	\$27,900.00
36	16" RES. SEAT GATE VALVE & BOX	EA	18	\$8,000.00	\$144,000.00	4.00	\$32,000.00	16	\$128,000.00
37	EXCAVATE, SALVAGE, AND STOCKPILE WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0.00	\$0.00	300	\$300.00
38	PLACE SALVAGED WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0.00	\$0.00	300	\$300.00
39	TRENCH STABILIZATION ROCK	LF	300	\$32.00	\$9,600.00	0.00	\$0.00	0	\$0.00
40	TELEVISIONING	LF	4541	\$1.25	\$5,676.25	0.00	\$0.00	0	\$0.00
41	HORIZONTAL DIRECTIONAL DRILLING BORE PITS	LS	1	\$190,000.00	\$190,000.00	0.25	\$47,500.00	0.91	\$172,900.00
SUBTOTAL - DIVISION 2					\$3,099,123.55		\$829,225.00		\$2,880,170.48

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 3 - WATERMAIN									
1	8"X6" WET TAP (INCLUDE SLEEVE AND VALVE)	EA	0	\$5,100.00	\$0.00	0.00	\$0.00	0	\$0.00
2	6" DIP, CL. 52 WATERMAIN	LF	100	\$41.00	\$4,100.00	0.00	\$0.00	153	\$6,273.00
3	6" RES. SEAT GATE VALVE & BOX	EA	1	\$1,300.00	\$1,300.00	0.00	\$0.00	1	\$1,300.00
4	6" HYDRANT (8'-6" BURY)	EA	1	\$4,600.00	\$4,600.00	0.00	\$0.00	1	\$4,600.00
SUBTOTAL - DIVISION 3					\$10,000.00		\$0.00		\$12,173.00
DIVISION 4 - STREETS AND RESTORATION									
1	SAWCUT BITUMINOUS PAVEMENT	LF	85	\$5.50	\$467.50	0.00	\$0.00	24	\$132.00
2	REMOVE PIPE CULVERT (ALL TYPES & SIZES)	LF	178	\$4.50	\$801.00	0.00	\$0.00	178	\$801.00
3	SALVAGE & REINSTALL WOOD WIER	EA	1	\$1,050.00	\$1,050.00	0.00	\$0.00	1.0	\$1,050.00
4	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, DRIVES	SY	120	\$2.90	\$348.00	0.00	\$0.00	135	\$391.50
5	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, STREETS	SY	25	\$2.90	\$72.50	0.00	\$0.00	39	\$113.10
6	REMOVE & DISPOSE OF EXIST. CONCRETE CURB & GUTTER	LF	20	\$2.50	\$50.00	0.00	\$0.00	25	\$62.50
7	LIFT STATION SITE GRADING	LS	1	\$21,600.00	\$21,600.00	0.00	\$0.00	1	\$18,360.00
8	CL.5 AGGREGATE BASE	TN	1101	\$18.00	\$19,818.00	0.00	\$0.00	913	\$16,425.50
9	SPWEA240B BITUMINOUS WEAR COURSE, DRIVES	SY	120	\$44.00	\$5,280.00	0.00	\$0.00	0	\$0.00
10	SPNWB230B BITUMINOUS NON-WEAR COURSE, STREETS	TN	165	\$194.00	\$32,010.00	0.00	\$0.00	7	\$1,358.00
11	SPWEA240B BITUMINOUS WEAR COURSE, STREETS	TN	125	\$194.00	\$24,250.00	0.00	\$0.00	0	\$0.00
12	BITUMINOUS MATERIAL FOR TACK COAT	GA	69	\$4.25	\$293.25	0.00	\$0.00	0	\$0.00
13	CONCRETE CURB & GUTTER	LF	20	\$55.00	\$1,100.00	0.00	\$0.00	0	\$0.00
14	CL.5 AGGREGATE BASE, SHOULDER	TN	55	\$47.00	\$2,585.00	0.00	\$0.00	0	\$0.00
15	15" CMP PIPE CULVERT W/APRON	LF	178	\$47.00	\$8,366.00	0.00	\$0.00	286	\$13,442.00
16	CL. 3 RIP RAP W/ GEOTEXTLE FABRIC	CY	5	\$125.00	\$625.00	0.00	\$0.00	0	\$0.00
17	OFF ROAD STRUCTURE MARKER	EA	25	\$88.00	\$2,200.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 4					\$120,916.25		\$0.00		\$52,136.00

TOTALS - BASE CONTRACT **\$3,416,900.40** **\$833,350.00** **\$3,077,502.03**

CHANGE ORDER NO. 1

CO1-1	8" PVC, SDR 23.5 SANITARY SEWER (25'-30' DEPTH)	LF	44.0	\$200.00	\$8,800.00	0.00	\$0.00	40.0	\$8,000.00
CO1-2	4" POLYSTYRENE INSULATION	SY	10.5	\$35.00	\$367.50	0.00	\$0.00	42.5	\$1,487.50

TOTALS - CHANGE ORDER NO. 1 **\$9,167.50** **\$0.00** **\$9,487.50**

CHANGE ORDER NO. 2

CO2-1	COST FOR ADDITIONAL EASEMENT TO RELOCATE MH D-1	LS	1.0	-\$3,500.00	-\$3,500.00	0.00	\$0.00	1.0	-\$3,500.00
CO2-2	8" X 8" WET TAP INCL. VALVE & SLEEVE	EA	1.0	\$5,500.00	\$5,500.00	0.00	\$0.00	1.0	\$5,500.00
CO2-3	12" DIP CL. 52 WATERMAIN INCL. FITTINGS	LF	328.0	\$75.00	\$24,600.00	0.00	\$0.00	283.0	\$21,225.00

TOTALS - CHANGE ORDER NO. 2 **\$26,600.00** **\$0.00** **\$23,225.00**

CHANGE ORDER NO. 4

CO4-1	ADDITIONAL FILL & GRADING AT LS SITE	CY	699.0	\$8.66	\$6,053.34	699.00	\$6,053.34	699.0	\$6,053.34
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TOTALS - CHANGE ORDER NO. 4 **\$6,053.34** **\$6,053.34** **\$6,053.34**

TOTALS - REVISED CONTRACT **\$3,458,721.24** **\$839,403.34** **\$3,116,267.87**

DATE: February 18, 2014
CONSENT
ITEM # 6

AGENDA ITEM: Easement Encroachment Agreement – 9590 Whistling Valley Trail

SUBMITTED BY: Joan Ziertman, Planning Program Assistant

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Rick Chase, Building Official
Adam Bell, City Clerk

SUGGESTED ORDER OF BUSINESS(if removed from consent agenda):

- Introduction of ItemStaff
- Report/Presentation.....Staff
- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: Staff recommends that the City Council approve the encroachment agreement for Timothy and Lisa Lawin at 9590 Whistling Valley Trail North as part of tonight's consent agenda.

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to authorize as part of tonight's consent agenda, the execution of an easement encroachment agreement. The City has received a request to install a driveway and retaining wall within a drainage and utility easement area at 9590 Whistling Valley Trail North from Timothy P. Lawin and Lisa M. Lawin, husband and wife. Approval of the requested improvement within the City's drainage and utility easements would allow the property owners to construct the requested improvement within the City's drainage and utility easements located on their private property.

Staff is recommending that the City Council approve the easement encroachment agreement as part of the Consent Agenda. If the City Council removes the item from the Consent Agenda, the recommended action can be completed through the following motion:

“Move to approve the easement encroachment agreement for Timothy and Lisa Lawin at 9590 Whistling Valley Trail N to install a driveway and retaining wall within the City’s drainage and utility easement.”

LEGISLATIVE HISTORY: The City holds easements of different sizes and for different purposes on many residential and commercial properties throughout the City. When a resident is interested in putting a structure within an easement, the city has requested the property owner provide a site plan showing where the improvement is proposed to be located, a detail of what the improvement will look like and how it will function. After that information is received, staff reviews the proposed improvement and the use of the easement to determine if the proposed improvement will impede the functionality of the easement. If staff determines that the improvement will not negatively impact the functionality of the easement, an approved building permit showing the requested work and an Easement Encroachment Agreement is needed before the work may commence.

The Easement Encroachment Agreement that has been submitted for Council consideration is for a driveway and retaining wall and has been reviewed by planning staff. The proposed retaining wall and driveway meets all city code requirements and Staff would have otherwise authorized construction of the retaining wall and driveway if they did not encroach into a drainage and utility easement.

BACKGROUND INFORMATION (SWOT):

Strengths: The easement encroachment agreement is a legal document that has been signed by all property owners seeking to install improvements within an easement. The document, among other things, indemnifies the city from responsibility if damage occurs to the improvement or if it needs to be removed at some point in the future.

Weaknesses: None

Opportunities: None

Threats: None

RECOMMENDATION:

Based on the aforementioned, Staff is recommending that the City Council approve the easement encroachment agreement as part of the Consent Agenda. If the City Council removes the item from the Consent Agenda, the recommended action can be completed through the following motion:

“Move to approve the easement encroachment agreement for Timothy and Lisa Lawin at 9590 Whistling Valley Trail N to install a driveway and retaining wall within the City’s drainage and utility easement.”

ATTACHMENTS:

1. Easement Encroachment Agreement – 9590 Whistling Valley Trail N

ENCROACHMENT AGREEMENT

THIS AGREEMENT is made this 2 day of January, 2014, by and between the CITY OF LAKE ELMO, a Minnesota municipality (hereinafter "City"), and Timothy P. Lawin and Lisa M. Lawin, husband and wife, (hereinafter "Owner") and their successors in title.

WHEREAS, the City has an easement for drainage and utility purposes over that part of the property legally described on the attached Exhibit A, located in Washington County, Minnesota;

WHEREAS, Owner is desirous of constructing a driveway and retaining wall ("The Improvements") within the Easement; and,

WHEREAS, the permission granted herein is limited to The Improvement proposed within the easement.

NOW, THEREFORE, in consideration of the premises and for good and valuable consideration, the receipt of which is acknowledged, the City will permit the encroachment on its easement area as set forth herein and subject to the conditions set forth below:

1. Owner and successors in title may install and maintain The Improvements in the configuration directed by the City and in accordance herewith.
2. Owner must notify the City at least forty-eight (48) hours before construction, repair and/or maintenance work commences within the easement. No such work shall take place without the City staff being given the opportunity to be present at the site. Further, if the City determines in its reasonable estimation that any proposed work may potentially cause an unsafe condition or damage or impair the City's easement area, the City shall have the authority to prevent such work from being done by giving notice to Owner; notwithstanding the foregoing, in

the event of an emergency situation and/or the existence of an unsafe condition of Owner's land, the prescribed forty-eight (48) hour notice requirement shall be waived by the City. However, in the event of such situation, said waiver shall not relieve Owner from their obligation to notify the City in a timely and practical manner. The City shall have no obligation to notify Owner of their intent to do work.

3. To the fullest extent permitted by law, Owner, their successors and assigns agree to release, defend, protect, indemnify, save and hold harmless the City, its agents, directors, employees and contractors against any and all claims, costs and liabilities, including the costs of defense for damages, injury or death arising from or in any way connected to the installation, maintenance, repair, removal and/or presence of The Improvements permitted hereunder, regardless of whether such harm is to Owner, the City, the employees or officers of either or any other person or entity, except shall not be liable under this paragraph for loss or damage to the extent resulting from the negligence or intentional acts of the indemnified parties.

4. The permission granted herein is limited exclusively to the proposed improvement within the City's easement. Owner shall not alter the grade, perform any other site disturbing activities, or permit such alteration anywhere upon the land upon which the City has reserved its easement without proper express written consent of the City. Owner shall construct and maintain The Improvements in compliance with all applicable laws and in good repair.

Owner shall, at all times, use best efforts to conduct all of activities on said easement area in such a manner as to not interfere with or impede the operation of the City's easement and related activities in any manner whatsoever and shall remove The Improvements at no cost to the City when directed by the City. The work shall be done and The Improvements maintained in conformance with the direction of the City.

[SIGNATURES ON FOLLOWING PAGES]

Exhibit A

LOT 3, BLOCK 4, WHISTLING VALLEY, WASHINGTON COUNTY, MINNESOTA
(9590 Whistling Valley Trail North, Lake Elmo, MN 55042)



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
CONSENT
ITEM #7

AGENDA ITEM: Approve Pay Equity Report
SUBMITTED BY: Cathy Bendel, Finance Director
THROUGH: Cathy Bendel, Finance Director
REVIEWED BY: Adam Bell, City Clerk/Assistant City Administrator

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Finance

FISCAL IMPACT: Potential Fine if not reported timely

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve the 2013 Pay Equity Report. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

LEGISLATIVE HISTORY: NA

BACKGROUND INFORMATION/STAFF REPORT: Every three years the City is required to submit a Pay Equity report to the state of Minnesota. The last report was submitted with 2010 data in 2011 and this report represents the date for the next required submission of 2013 information.

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the 2013 Pay Equity report.

ATTACHMENTS:

1. MMB Pay Equity Reporting package-2013 Data

Compliance Report

Jurisdiction: Lake Elmo
3800 Laverne Avenue North

Report Year: 2014
Case: 1 - 2013 Data

Lake Elmo MN 55042

Contact: Cathy Bendel

Phone: (651) 233-5403

E-Mail: cbendel@lakeelmo.org

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	13	7	0	20
# Employees	13	7	0	20
Avg. Max Monthly Pay per employee	5,074.54	3,469.29		4,512.70

II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = 64.62 *

	Male Classes	Female Classes
a. # At or above Predicted Pay	7	2
b. # Below Predicted Pay	6	5
c. TOTAL	13	7
d. % Below Predicted Pay (b divided by c = d)	46.15	71.43

*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

B. T-test Results

Degrees of Freedom (DF) = 18	Value of T = 1.429
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a. Avg. diff. in pay from predicted pay for male jobs = (\$13)

b. Avg. diff. in pay from predicted pay for female jobs = (\$491)

III. SALARY RANGE TEST = 0.00 (Result is A divided by B)

A. Avg. # of years to max salary for male jobs = 0.00

B. Avg. # of years to max salary for female jobs = 0.00

IV. EXCEPTIONAL SERVICE PAY TEST = 0.00 (Result is B divided by A)

A. % of male classes receiving ESP 0.00 *

B. % of female classes receiving ESP 0.00

*(If 20% or less, test result will be 0.00)

Job Class Data Entry Verification List

Lake Elmo

LGID 606

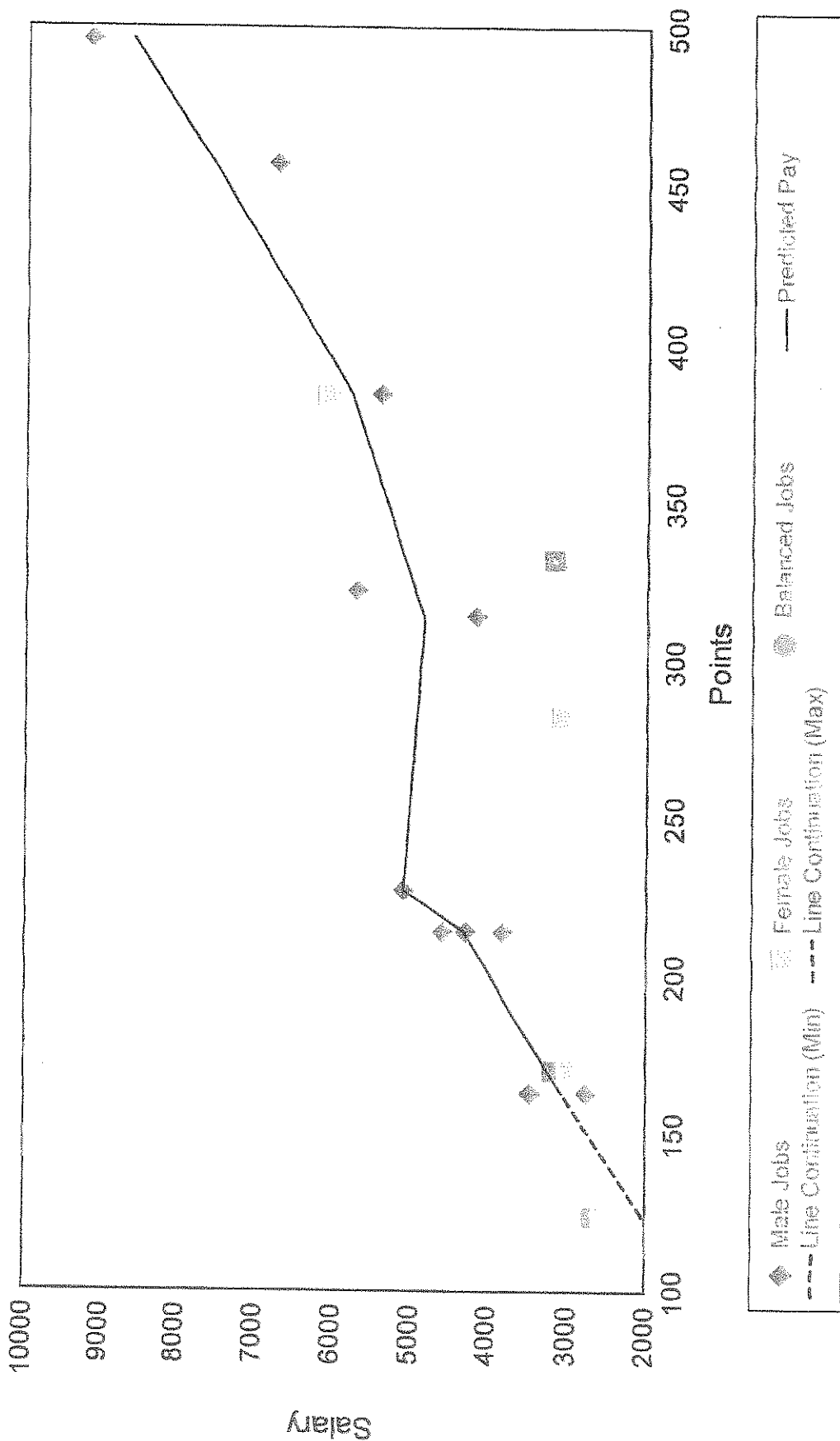
Case: 2013 Data

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
19	Receptionist	0	1	F	124	\$2,687.00	\$2,687.00	0.00	1.00	
17	Park Maintainer	1	0	M	163	\$3,467.00	\$3,467.00	0.00	1.00	
18	Water/Fire support	1	0	M	163	\$2,773.00	\$2,773.00	0.00	1.00	
1	Program Support Assistan	0	1	F	170	\$3,188.00	\$3,188.00	0.00	1.00	
14	Planning Assistant	0	1	F	170	\$3,007.00	\$3,007.00	0.00	1.00	
15	Accounting Clerk	0	1	F	170	\$3,007.00	\$3,007.00	0.00	1.00	
2	Heavy Equipment Operato	1	0	M	214	\$3,813.00	\$3,813.00	0.00	3.00	
3	Heavy Equipment Operato	1	0	M	214	\$4,593.00	\$4,593.00	0.00	6.00	
4	Heavy Equipment Operato	1	0	M	214	\$4,593.00	\$4,593.00	0.00	8.00	
5	Heavy Equipment Operato	1	0	M	214	\$4,297.00	\$4,297.00	0.00	22.00	
6	Buliding Inspector	1	0	M	227	\$5,099.00	\$5,099.00	0.00	2.00	
16	Librarian	0	1	F	282	\$3,090.00	\$3,090.00	0.00	1.00	
7	City Planner	1	0	M	314	\$4,167.00	\$4,167.00	0.00	1.00	
8	Fire Chief	1	0	M	322	\$5,718.00	\$5,718.00	0.00	8.00	
20	Taxpayer Relations	0	1	F	332	\$3,188.00	\$3,188.00	0.00	2.00	
9	Finance Director	0	1	F	384	\$6,118.00	\$6,118.00	0.00	2.00	
10	City Clerk	1	0	M	384	\$5,417.00	\$5,417.00	0.00	2.00	
11	Maintenance Supervisor	1	0	M	384	\$6,110.00	\$6,110.00	0.00	27.00	
12	Community Development I	1	0	M	457	\$6,755.00	\$6,755.00	0.00	6.00	
13	City Administrator	1	0	M	496	\$9,167.00	\$9,167.00	0.00	2.00	

Job Number Count: 20

Predicted Pay Report for Lake Elmo

Case : 2013 Data



Predicted Pay Report for Lake Elmo

Case : 2013 Data

Job Nbr	Job Title	Nbr Males	Nbr Females	Total Nbr	Job Type	Job Points	Max Mo Salary	Predicted Pay	Pay Difference
19	Receptionist	0	1	1	Female	124	\$2,687.00	\$2,047.14	\$639.86
17	Park Maintainer	1	0	1	Male	163	\$3,467.00	\$3,078.17	\$388.83
18	Water/Fire support	1	0	1	Male	163	\$2,773.00	\$3,078.17	(\$305.17)
1	Program Support Assistant	0	1	1	Female	170	\$3,188.00	\$3,263.62	(\$75.62)
14	Planning Assistant	0	1	1	Female	170	\$3,007.00	\$3,263.62	(\$256.62)
15	Accounting Clerk	0	1	1	Female	170	\$3,007.00	\$3,263.62	(\$256.62)
2	Heavy Equipment Operator	1	0	1	Male	214	\$3,813.00	\$4,324.00	(\$511.00)
3	Heavy Equipment Operator	1	0	1	Male	214	\$4,593.00	\$4,324.00	\$269.00
4	Heavy Equipment Operator	1	0	1	Male	214	\$4,593.00	\$4,324.00	\$269.00
5	Heavy Equipment Operator	1	0	1	Male	214	\$4,297.00	\$4,324.00	(\$27.00)
6	Building Inspector	1	0	1	Male	227	\$5,099.00	\$5,099.00	\$0.00
16	Librarian	0	1	1	Female	282	\$3,090.00	\$4,998.03	(\$1,908.03)
7	City Planner	1	0	1	Male	314	\$4,167.00	\$4,843.80	(\$676.80)
8	Fire Chief	1	0	1	Male	322	\$5,718.00	\$4,953.88	\$764.12
20	Taxpayer Relations	0	1	1	Female	332	\$3,188.00	\$5,091.36	(\$1,903.36)
9	Finance Director	0	1	1	Female	384	\$6,118.00	\$5,791.50	\$326.50
10	City Clerk	1	0	1	Male	384	\$5,417.00	\$5,791.50	(\$374.50)
11	Maintenance Supervisor	1	0	1	Male	384	\$6,110.00	\$5,791.50	\$318.50
12	Community Development Director	1	0	1	Male	457	\$6,755.00	\$7,580.90	(\$825.90)
13	City Administrator	1	0	1	Male	496	\$9,167.00	\$8,628.70	\$538.30

Job Number Count: 20

Pay Equity Implementation Report

2/4/2014

Part A: Jurisdiction Identification

Jurisdiction: Lake Elmo
3800 Laverne Avenue North

Jurisdiction Type: City

Lake Elmo MN 55042

Contact: Cathy Bendel

Phone: (651) 233-5403

E-Mail: cbendel@lakeelmo.org

Part B: Official Verification

- 1. The job evaluation system used measured skill, effort responsibility and working conditions and the same system was used for all classes of employees.

The system used was: State Job Match

Description:

[Empty box for description]

- 2. Health Insurance benefits for male and female classes of comparable value have been evaluated and:

There is no difference and female classes are not at a disadvantage.

- 3. An official notice has been posted at:

Lake Elmo City Hall Bulletin Board

(prominent location)

informing employees that the Pay Equity Implementation Report has been filed and is available to employees upon request. A copy of the notice has been sent to each exclusive representative, if any, and also to the public library.

The report was approved by:

Lake Elmo City Council

(governing body)

Mike Pearson

(chief elected official)

Mayor

(title)

Part C: Total Payroll

\$1,043,865.90

is the annual payroll for the calendar year just ended December 31.

- Checking this box indicates the following:

- signature of chief elected official
- approval by governing body
- all information is complete and accurate, and
- all employees over which the jurisdiction has final budgetary authority are included

Date Submitted: 02/04/2014



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
REGULAR
ITEM # 8

AGENDA ITEM: Pumphouse No. 4 Improvements – Accept Bids and Award Contract

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Chad Isakson, Project Engineer
Cathy Bendel, Finance Director
Mike Bouthilet, Public Works

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: Engineering

FISCAL IMPACT: \$984,000.

Approval of this resolution commits the council to entering into a construction contract for the project. The Pumphouse No. 4 construction contract amount is \$748,640 and the total estimated project cost is \$984,000. This amount is \$100,000 over the authorized budget. The project is scheduled to be paid through a combination of DEED grant money, in the amount of \$220,000, and water enterprise funds, in the amount of \$765,000. The city cost share, or water enterprise funds, will be financed through the issuance of bonds with the bond payments paid with the collection of water availability and water connection charges.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider accepting contractor bids as presented and awarding a contract for the Pumphouse No. 4 Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-11, Accepting Bids and Awarding a Contract to Total Mechanical Inc. in the amount of \$748,640.00 for the Pumphouse No. 4 Improvements.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Bids were received, publicly opened, and read aloud on February 5, 2014. The city engineer and his consultant has prepared and attached the Tabulation of Bids and a letter of recommendation for the award of the contract. The city received four (4) bids for this project, with Total Mechanical, Inc. providing the lowest base bid in the amount of \$748,640.00. The Engineer’s post-design construction cost estimate for the project was \$646,170. In addition to these costs it is anticipated that the city must extend electrical service to the site in the estimated amount of \$97,000.

Staff has reviewed alternatives to awarding the project due to the bid amount exceeding the engineer’s estimate, including re-bidding the project as designed, value engineering the current design, and completing a redesign prior to re-bidding. In each circumstance staff believes that the proposed design represents the basic infrastructure components necessary for a functional water supply well with little to no room for cost reductions without compromising reliability or long term operational performance. Consideration was given to eliminating the stand-by generator from the contract and adding it back as a separate project at a later date, however it was determined that this exercise would likely result in higher costs.

Contractor references for Total Mechanical, Inc. were reviewed and verified. The city engineer and his consultant are therefore recommending that the Council award the contract to the lowest responsible bidder, Total Mechanical, Inc., as outlined in the attached letter.

The City Council approved the Plans and Specifications for the Pumphouse No. 4 Improvements on January 6, 2014, and authorized staff to advertise the Project for bids. The Project was advertised on QuestCDN.com, Finance and Commerce, and in the Oakdale-Lake Elmo Review in accordance with the Minnesota Competitive Bidding requirements. The improvements include:

- Construction of a municipal building to enclose the new city well and related chemical feed equipment. The building is located on newly acquired property near 50th Street and Lake Elmo Avenue.
- Chemical feed equipment and piping to safely deliver drinking water to customers, HVAC equipment, electrical and SCADA controls, and safety equipment.
- A natural gas generator to operate the well in the event of a power outage.

- Site grading, driveway construction, and exterior work needed to adequately allow for chemical delivery, well maintenance and day-to-day operational needs.
- Erosion control, cleanup and site restoration.

RECOMMENDATION:

Staff is recommending that the city council approve Resolution No. 2014-11, thereby accepting bids and awarding a contract to Total Mechanical Inc., in the amount of \$748,640.00, for the Pumphouse No. 4 Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-11, Accepting Bids and Awarding a Contract to Total Mechanical Inc. in the amount of \$748,640.00 for the Pumphouse No. 4 Improvements.”

ATTACHMENT(S):

1. Resolution No. 2014-11 Accepting Bids and Awarding a Contract.
2. Tabulation of Bids and Engineer’s Letter of Award Recommendation.
3. Engineer’s Post-design Estimate of Construction Costs.
4. Project Schedule.

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

RESOLUTION NO. 2014-11

**A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT
FOR THE PUMPHOUSE NO. 4 IMPROVEMENTS**

WHEREAS, pursuant to an advertisement for bids for the Pumphouse No. 4 Improvements, bids were received, opened, and tabulated according to law, and bids were received complying with the advertisement; and

WHEREAS, bids were tabulated, checked and summarized to verify that all requirements of the submittals were met; and

WHEREAS, the project engineer reviewed the bids and has provided a letter recommending the award of the contract to the lowest responsible bidder, Total Mechanical, Inc., in the amount of \$748,640.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

1. That the Mayor and City Clerk are hereby authorized and directed to enter into a Contract in the accordance with the above ordered Project, in the amount of the Contractor's lowest responsible bid, and according to the plans and specifications thereof approved by the City Council.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next two lowest bidders shall be retained until a contract has been signed.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE EIGHTEENTH DAY OF
FEBRUARY 2014.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk



BOLTON & MENK, INC.

Consulting Engineers & Surveyors

2035 County Road D East • Suite B • Maplewood, MN 55109-5314

Phone (651) 704-9970 • Fax (651) 704-9971

www.bolton-menk.com

February 10, 2014

Mr. Jack Griffin, P.E.
City Engineer
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

RE: Pumphouse No 4
Bid Results

Dear Mr. Griffin,

Four (4) bids were received on February 5, 2014 for the Pumphouse No. 4 project. The total bids ranged from \$748,640.00 to \$815,477.00. The lowest bid was submitted by Total Mechanical Services, Inc. of St. Paul Park, Minnesota. A bid abstract is attached and a summary of the bids received includes the following:

Bidder	Total Bid (Bid Schedule A + B)
Total Mechanical Services, Inc.	\$748,640.00
Municipal Builders, Inc.	\$768,600.00
Magney Construction, Inc.	\$810,850.00
Rice Lake Construction Group	\$815,477.00

We have worked with Total Mechanical Services, Inc. as a subcontractor on multiple pumphouse and water treatment plant projects. In addition, Total Mechanical Services, Inc. has submitted project references where they have been the prime bidder as well as their subcontractors for this Pumphouse No. 4 project. We have completed the reference checks submitted and believe Total Mechanical Services, Inc. is a responsible bidder. If the City Council decides to award the Project to the low bidder, then Total Mechanical Services, Inc. should be awarded the Project.

If you have any questions, please feel free to contact me at 651-728-1494.

Sincerely,

BOLTON & MENK, INC.

Doug Klamerus, P.E.
Project Manager

c: Chad Isakson, FOCUS Engineering, Inc.
Greg Johnson, Bolton & Menk, Inc.
Joseph Rhein, Bolton & Menk, Inc.

DESIGNING FOR A BETTER TOMORROW
Bolton & Menk is an equal opportunity employer

ABSTRACT OF BIDS

PUMPHOUSE NO. 4
LAKE ELMO, MN
CITY PROJECT NO. 2013.13Z
BMT PROJECT NO. IN21.107092
2/10/2014

BID SCHEDULE A - LUMP SUM BID

- Construction of Pumpstation No. 4, including building excavation and backfill, interior components and site watermain as shown on the Contract Drawings as specified in the Contract Specifications.

TOTAL MECHANICAL SERVICES, INC. MUNICIPAL BUILDERS, INC. MAGNEY CONSTRUCTION, INC. RICE LAKE CONSTRUCTION GROUP

\$706,900.00 \$728,980.00 \$771,223.00 \$770,762.00

BID SCHEDULE B - UNIT PRICE BID

ITEM	UNIT	QUANTITY	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST
COMMON EXCAVATION (P)	CY	350	\$11.00	\$3,850.00	\$10.00	\$3,500.00	\$10.00	\$3,500.00	\$13.00	\$4,550.00
TYPE SP 12.5 BITUMINOUS WEARING COURSE MIXTURE (2:B)	TN	130	\$108.00	\$14,040.00	\$98.00	\$12,740.00	\$98.00	\$12,740.00	\$103.00	\$13,390.00
BITUMINOUS MATERIAL FOR TACK COAT	GAL	35	\$6.00	\$210.00	\$5.00	\$175.00	\$5.00	\$175.00	\$6.00	\$210.00
AGGREGATE BASE CLASS 5, 100% CRUSHED	TN	190	\$20.00	\$3,800.00	\$18.00	\$3,420.00	\$18.00	\$3,420.00	\$31.00	\$5,890.00
SELECT GRANULAR BORROW (MODIFIED)	TN	380	\$13.50	\$5,130.00	\$12.50	\$4,750.00	\$12.50	\$4,750.00	\$14.00	\$5,320.00
5" CONCRETE SIDEWALK	SF	235	\$5.00	\$1,175.00	\$7.00	\$1,645.00	\$7.20	\$1,692.00	\$7.00	\$1,645.00
TRUNCATED DOME PANELS	SF	8	\$40.00	\$320.00	\$40.00	\$320.00	\$75.00	\$600.00	\$90.00	\$720.00
TOPSOIL BORROW (CV)	CY	15	\$65.00	\$975.00	\$50.00	\$750.00	\$50.00	\$750.00	\$40.00	\$600.00
TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	1	\$1,000.00	\$1,000.00	\$900.00	\$900.00	\$900.00	\$900.00	\$750.00	\$750.00
SILT FENCE, MACHINE SLICED	LF	400	\$3.00	\$1,200.00	\$5.00	\$2,000.00	\$5.00	\$2,000.00	\$5.00	\$2,000.00
STREET SWEEPER	HR	4	\$110.00	\$440.00	\$105.00	\$420.00	\$175.00	\$700.00	\$130.00	\$520.00
SOD	SY	2,400	\$4.00	\$9,600.00	\$3.75	\$9,000.00	\$3.50	\$8,400.00	\$4.00	\$9,600.00
TOTAL BID SCHEDULE B - UNIT PRICE BID				\$41,740.00		\$39,620.00		\$39,627.00		\$44,715.00

TOTAL BID AMOUNT

BID SCHEDULE A - BASE BID, NOT INCLUDING BID ALTERNATES
BID SCHEDULE B - TOTAL UNIT PRICE BID
TOTAL BID (SCHEDULE A & B)

				\$706,900.00		\$728,980.00		\$771,223.00		\$770,762.00
				\$41,740.00		\$39,620.00		\$39,627.00		\$44,715.00
				\$748,640.00		\$768,600.00		\$810,850.00		\$815,477.00

Company: Total Mechanical Services, Inc.
Address: 420 Broadway Avenue
City/State/Zip: St. Paul, MN 55071
Phone: 651.768.9367

Municipal Builders, Inc.
17125 Ronnokie Street SW
Andover, MN 55304
763.421.8790

Magney Construction, Inc.
1401 Park Road
Chambers, MN 55317
952.474.1674

Rice Lake Construction
22360 County Road 12
Dermwood, MN 56444
218.546.5519

Lake Elmo Wellhouse No. 4
 Engineer's Preliminary Opinion of Probable Construction Cost
 November 21, 2013

Item	Cost
Divisions 0 and 1 - General Conditions, building permits, bonds, insurance, mobilization, construction allowances, project management, and site supervision	\$ 60,000
Division 2 - Site Work	\$ 35,000
Division 3 - Concrete	\$ 123,500
Division 4 - Masonry	\$ 60,000
Division 5 - Metals	\$ 10,000
Division 6 - Carpentry	\$ 5,000
Division 7 - Thermal and Moisture Protection	\$ 20,000
Division 8 - Doors and Windows	\$ 8,000
Division 9 - Finishes	\$ 30,000
Division 10 - Specialties	\$ 3,000
Division 11 - Equipment	\$ 40,000
Division 15 - Mechanical	\$ 85,000
Division 16 - Electrical	\$ 154,000
Total Opinion of Probable Construction Cost	\$633,500
Estimated 3 Ph Electric Service from Xcel Energy	\$ 97,000
Estimated Natural Gas Service from Xcel Energy (Gas in ROW)	\$ -
Subtotal	\$ 730,500
5% Contingency	36,525
Subtotal Project Cost	\$ 767,025

PROJECT SCHEDULE
CITY OF LAKE ELMO

FOCUS ENGINEERING, inc.

PUMPHOUSE NO. 4
PROJECT NO. 2013.132

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

REVISED DECEMBER 2013

August 6, 2013	Council authorizes preparation of Plans and Specifications. Approves Engineering Services contract.
January 6, 2014	Council approves Plans and Specifications; Orders Advertisement for Bids.
February 5, 2014	Receive Contractor Bids.
February 18, 2014	Council accepts bids and awards Contract.
March 11, 2014	Conduct Pre-construction Meeting and Issue Notice to Proceed.
October 10, 2014	Substantial completion (estimated 26 weeks).
November 21, 2014	Final Completion (estimated 7 weeks).



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
CONSENT
ITEM # 9

AGENDA ITEM: 2014 Seal Coat Project – Authorize Preparation of Plans & Specifications

SUBMITTED BY: Ryan Stempski, Assistant City Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

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

- 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

POLICY RECOMMENDER: Engineering

FISCAL IMPACT: \$9,500.

The Infrastructure Reserve Fund has programmed \$160,000 for sealcoating work for 2014. The 2014 Seal Coat schedule includes work in the amount of \$213,000. The annual seal coat schedule targets a \$160,000 annual average cost with each year being higher or lower to complete entire neighborhoods in the same program year. In 2013 the sealcoat budget came in under budget by \$27,350. The \$9,500 represents the engineering costs related to the 2014 Seal Coat Project.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider authorizing the 2014 Seal Coat Project engineering services to initiate the preparation of plans and specifications. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to authorize engineering services to FOCUS Engineering Inc. in the not to exceed amount of \$9,500 for the 2014 Seal Coat Project.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

As part of the annual street maintenance program, certain street and roadway segments are treated with crack sealing and seal coating to preserve and extend the useful service life of the pavement. The City maintains a 5-year rolling street maintenance plan which identifies and programs paved City streets with a proposed maintenance application and designated year. Best management practices for street maintenance are followed to maximize benefit on the city's investments. One year in advance of the scheduled maintenance application, public works and engineering staff performs a field review to verify the street segments to be scheduled for sealcoating and prepares each segment by completing the crack sealing and minor patching work.

The proposed 2014 Seal Coat Project will consist of 8 miles of city streets including Hudson Boulevard, from Inwood Avenue to Manning Avenue; the Tablyn Park, Farms of Lake Elmo, and Tapestry at Charlotte's Grove neighborhoods. See attached 2014 Seal Coat Project Map. Crack sealing was authorized and applied to each of these street segments in 2013 in preparation of the scheduled seal coating.

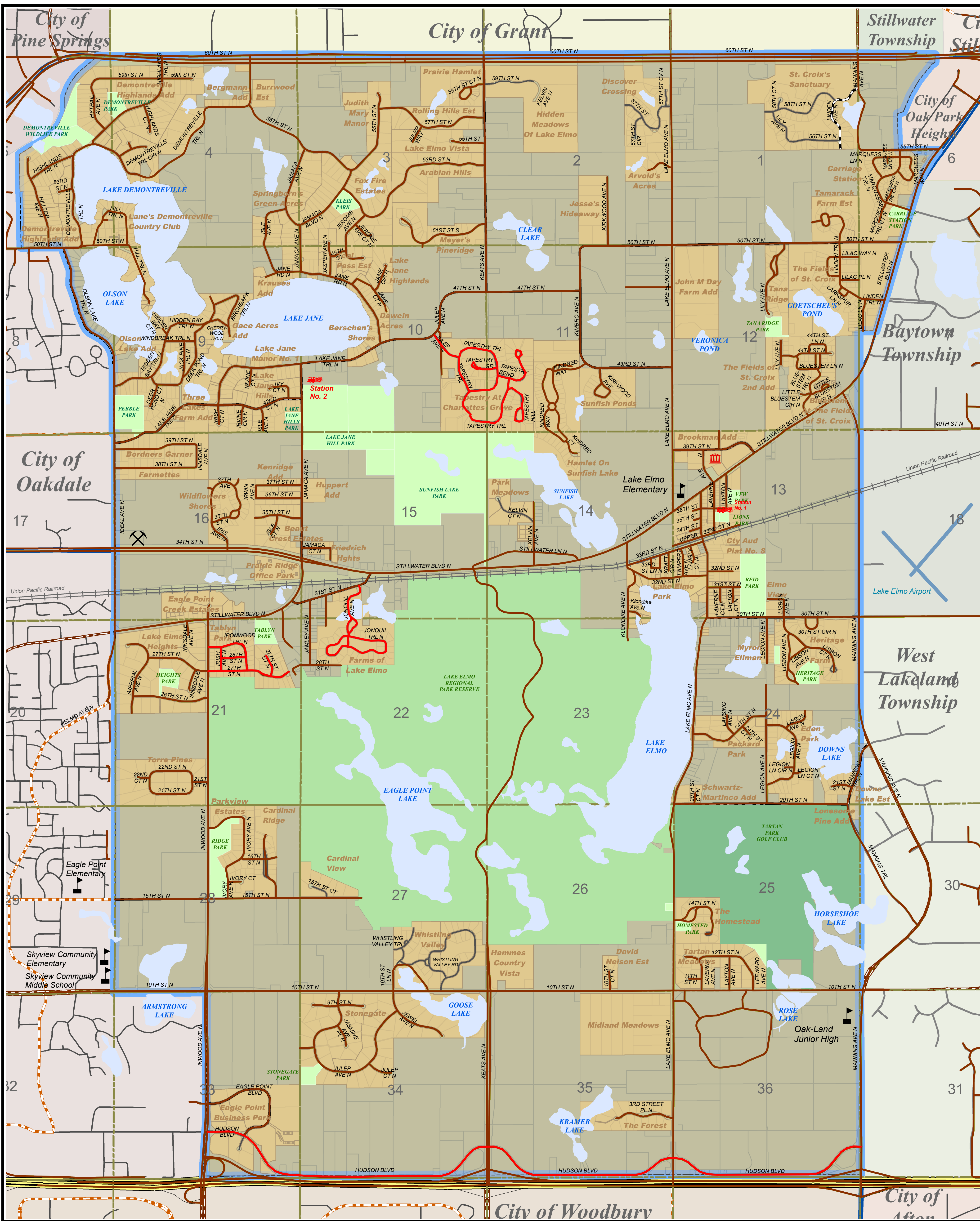
RECOMMENDATION:

Staff is recommending that the City Council consider authorizing, *as part of the Consent Agenda*, the 2014 Seal Coat Project engineering services to initiate the preparation of plans and specifications. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to authorize engineering services to FOCUS Engineering Inc. in the not to exceed amount of \$9,500 for the 2014 Seal Coat Project.”

ATTACHMENT(S):

1. 2014 Seal Coat Project – Location Map



2013 CRACK SEAL PROJECT LOCATION MAP

<p> 2013 CRACK SEAL</p>	<p> City Hall 3800 Laverne Avenue N 651/777-5510 www.lakeelmo.org</p> <p> Public Works Building 3445 Ideal Ave N 651/233-5414</p> <p> Fire Stations Station No. 1 3510 Laverne Ave N 651/770-5006 Station No. 2 4259 Jamaica Ave N 651/779-8882</p> <p> Schools</p>	<p> Parcels</p> <p> Subdivisions</p> <p> City Parks</p> <p> Golf Course</p> <p> Lake Elmo Regional Park Reserve Park Office 651/430-8368</p> <p> Lakes</p>	<p></p> <p>0 0.15 0.3 0.6 Miles</p> <p>Map Date: SEPTEMBER 2013</p> <p>Created By: FOCUS ENGINEERING, inc.</p>
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MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
REGULAR
ITEM # 10

AGENDA ITEM: 2012 Rain Garden Project Maintenance Contract – Contractor Request to Reconsider Pay Request No. 2 (Final)

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Ryan Stempski, Project Engineer
Cathy Bendel, Finance Director
Mike Bouthilet, Public Works

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCity Engineer
- Report/Presentation.....City Engineer
- 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

POLICY RECOMMENDER: Engineering

FISCAL IMPACT: None.

Staff is recommending that the council reaffirm the previously approved final payment amount of \$3,560. Should the council choose to amend final payment to the requested contract amount of \$5,501, the additional \$1,941 remains within the previously authorized project budget.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to reaffirm staff’s recommendation of Pay Request No. 2 (Final) in the amount of \$3,560 for the 2012 Rain Garden Project one year maintenance contract. The recommended motion for the action is as follows:

“Move to reaffirm Pay Request No. 2 (Final) to St. Croix Valley Landscaping in the amount of \$3,560 for the one year maintenance contract for the 2012 Rain Garden Project.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

At the January 6, 2014 City Council Meeting, Pay Request No. 2 (Final) was approved in the amount of \$3,560, as recommended by staff to final out the project. The 2012 Rain Garden One-Year Maintenance Contract with St. Croix Valley Landscaping included the maintenance of 17 rain gardens for a total amount of \$5,501. Staff recommended final payment at the reduced amount due to the contractor either not performing the full scope of work or performing work outside of the contract notification requirements.

Based on inspections by the Washington Conservation District, the project designer and construction oversight consultant, it was reported that only 11 of the 17 new rain gardens were maintained per the Contract requirements. The remaining 6 rain gardens held water and did not properly functioned during the maintenance period.

Per the attached letter dated January 28, 2014 from the Contractor’s attorney, St. Croix Valley Landscaping is requesting the council to reconsider the final payment amount and is requesting the additional payment of \$1,941. In the letter, the Contractor is claiming that they performed work on the additional six rain gardens even though they were defective.

RECOMMENDATION:

Staff is recommending that the City Council reaffirm staff’s recommendation of Pay Request No. 2 (Final) in the amount of \$3,560 for the 2012 Rain Garden Project one year maintenance contract. The recommended motion for the action is as follows:

“Move to reaffirm Pay Request No. 2 (Final) to St. Croix Valley Landscaping in the amount of \$3,560 for the one year maintenance contract for the 2012 Rain Garden Project.”

ATTACHMENT(S):

1. Wagner, Falconer & Judd, LTD. Letter Dated January 28, 2014.
2. Pay Estimate No. 2 (Final).
3. St. Croix Valley Landscaping Maintenance Estimate.
4. Washington Conservation District letter dated April 22, 2013..



WAGNER, FALCONER & JUDD, LTD.

Attorneys & Consultants Since 1932

January 28, 2014

The City of Lake Elmo
Ryan Stempksi, P.E.
3800 Laverne Avenue North
Lake Elmo, MN 55402

SENT VIA U.S. MAIL AND EMAIL
ryan.stempksi@focusengineeringinc.com

Re: St. Croix Valley Landscaping, Inc.
Our File No.: 196504 WT

Dear Mr. Stempksi:

The undersigned firm has consulted with St. Croix Valley Landscaping pertaining to the payment of their invoice for maintenance of the City of Lake Elmo's seventeen rain gardens. In your letter dated January 8, 2013, you state that the City Council approves payment in the amount of \$3,560.00 for the maintenance contract. In your letter, you state: "Six of the seventeen rain gardens were determined to be defective and did not function, therefore the maintenance requirements were not met for these six rain gardens." You then prorated the agreed upon price for maintenance of the seventeen rain gardens, \$5,501.00, to provide no payment for the six rain gardens that were defective, to arrive at the payment offer of \$3,560.00.

Your assessment that "the maintenance requirements were not met for these six rain gardens" is inaccurate. A few important facts to consider include:

- 1) That even though six of the rain gardens were defective, the gardens still needed to be and were maintained by St. Croix Valley Landscaping. The majority of the plants in the defective gardens was not covered by water and were weeded and watered by St. Croix Valley Landscaping. **All seventeen of the rain gardens were maintained by St. Croix Valley Landscaping.**
- 2) That the rain gardens were defective due to their design and that St. Croix Valley Landscaping did not design the rain gardens. Accordingly, it was not St. Croix Valley Landscaping's fault that the rain gardens were defective and it is unjust to penalize it by refusing to pay the full bill for the services performed.
- 3) That St. Croix Valley Landscaping went above and beyond its obligations in the performance of the maintenance contract. The Mayor and Council Communication dated September 4, 2012, stated that the maintenance includes "removing weed invasive species twice annually . . ." St. Croix Valley Landscaping in-fact weeded all seventeen rain gardens five times (three more than was required) and weeded them for both invasive and non-invasive species (again, more than was required).

1700 IDS Center 80 South Eighth Street Minneapolis, Minnesota 55402-2110 | Phone: 800.697.8955 MN | Phone: 800.506.7267 ND

325 North Corporate Drive Suite 100 Brookfield, Wisconsin 53045-5828 | Phone: 800.697.8960 WI

www.wfjlawfirm.com

In light of the above facts, St. Croix Valley Landscaping requests that the City of Lake Elmo reconsider the payment of the full contract price to St. Croix Valley at its February City Council meeting. It is my professional opinion that there is no legal basis for the City of Lake Elmo to pay less than the agreed-upon price of \$5,501.00 in this case.

However, in the event that it is not possible to comply with this request or the City Council denies the request for full payment, St. Croix Valley Landscaping will accept your offer of \$3,560.00 to settle this matter. St. Croix Valley Landscaping disputes the reduced payment, but will accept it to resolve this matter amicably. It is our hope, however, that the City Council will reconsider its position and do the right thing when all the facts are presented to it.

Please send your response to this letter to the undersigned firm by February 28, 2014. If the City Council agrees to payment in full or a fairer price, please submit a Project Pay Form that reflects that amount for St. Croix Valley Landscaping to execute. If the City Council insists on its current offer, please inform us of that decision and St. Croix Valley Landscaping will then execute the Project Pay Estimate 2 and submit it to the City of Lake Elmo.

Thank you for your anticipated cooperation. I trust that the City Council will genuinely take a look at the facts and consider the payment of the agreed upon contract price in good faith.

Sincerely,

WAGNER, FALCONER & JUDD, LTD.



Meridith J.O. Socha
Attorney at Law

cc: St. Croix Valley Landscaping

PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. 2 (FINAL)

FOCUS ENGINEERING, inc.

2012 RAIN GARDEN PROJECT

PERIOD OF ESTIMATE
FROM 11/20/2012 TO 10/31/2013

PROJECT OWNER:
CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO, MN 55042
ATTN: JACK GRIFFIN, P.E., CITY ENGINEER

CONTRACTOR:
ST. CROIX VALLEY LANDSCAPING
389 280TH STREET
OSCEOLA, WI 54020

CONTRACT CHANGE ORDER SUMMARY

PAY ESTIMATE SUMMARY

No.	Approval Date	Amount	
		Additions	Deductions
1	11/20/2012	\$1,341.13	
TOTALS		\$1,341.13	\$0.00
NET CHANGE		\$1,341.13	

1. Original Contract Amount	\$46,501.16
2. Net Change Order Sum	\$1,341.13
3. Revised Contract (1+2)	\$47,842.29
4. *Work Completed	\$45,901.29
5. *Stored Materials	\$0.00
6. Subtotal (4+5)	\$45,901.29
7. Retainage* <u>0.0%</u>	\$0.00
8. Previous Payments	\$42,341.29
9. Amount Due (6-7-8)	\$3,560.00

*Detailed Breakdown Attached

CONTRACT TIME

START DATE:	<u>9/17/2012</u>	ORIGINAL DAYS	<u>44</u>	ON SCHEDULE YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
SUBSTANTIAL COMPLETION:	<u>10/31/2012</u>	REVISED DAYS	<u>0</u>	
FINAL COMPLETION:	<u>10/31/2013</u>	REMAINING	<u>0</u>	

ENGINEER'S CERTIFICATION:

The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

FOCUS Engineering, inc.

ENGINEER

DATE

[Signature]
12/30/13

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.

CONTRACTOR

BY

DATE

APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA

BY

DATE

BY

DATE



April 22, 2013

Germaine Ross
St. Croix Valley Landscaping
389 280th St.
Osceola, WI 54020

Dear Ms. Ross,

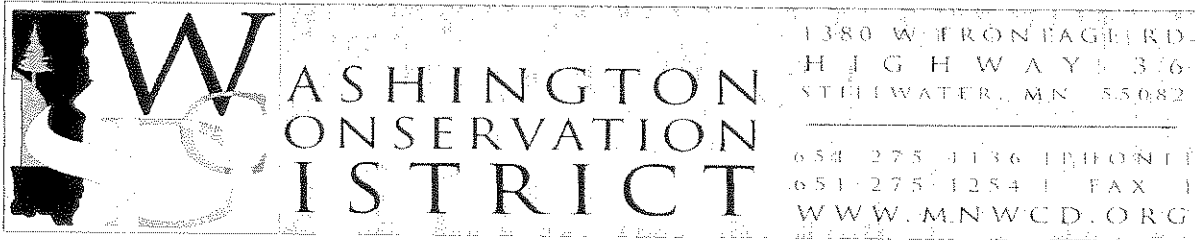
In 2012 St. Croix Valley Landscaping (SCVL) built seventeen Lake Elmo raingardens. The one year maintenance warranty period began November 14, 2012 and ends November 14, 2013 (See attached bid). Now that spring is here I wanted to follow up on what needs to be complete in order to receive final approval and payment.

- (1.) 2013 maintenance must be addressed per the August 29th, 2012 estimate provided by SCVL. The following items will need to be completed as necessary to maintain all raingardens:
- Provide maintenance twice yearly. Weeding and cleaning inlets including haul away of debris and adding preen.
 - Watering. Water raingardens assuming use of city water supply through fire hydrants not to exceed 5 times.
 - Mulch installed. Top dress mulch 1" with delivery.

Suggested timing for the above maintenance tasks is to first visit raingardens in May to weed and clean inlets if not earlier. The second visit recommended for weeding and cleaning inlets is early July. Mulch can be added at the second visit in July. We recommend watering take place on an as needed basis in between rain events. Watering will be highly important for July through August adding an inch per week if there is no rain forecasted.

Please give me a 48 hour notice each time you plan to visit the 2012 Lake Elmo raingardens. I will be inspecting each visit. For scheduling purposes, please send me estimated dates SCVL will be performing the above maintenance.

- (2.) A one-year warranty walk-through will need to be scheduled to identify any defective work or issues related to the construction of the raingardens. In August 2013 I will schedule a time with SCVL to walk through the project and develop a list of corrective items as necessary. Once the maintenance items have been completed and all one-year warranty corrective items addressed, I will write a recommendation for final approval and payment to the City of Lake Elmo.



Please let me know if you have any questions.

Sincerely,
Tara Kline
Natural Resource BMP Senior Technician
Washington Conservation District
651-275-1136 x. 28

Cc: Ryan Stempki, P.E., Lake Elmo Assistant City Engineer



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
PUBLIC HEARING
ITEM # 11

AGENDA ITEM: Livestock/Animal Ordinance Amendment
SUBMITTED BY: Adam Bell, City Clerk/Assistant City Administrator
THROUGH: Dean Zuleger, City Administrator
REVIEWED BY: Beckie Gumatz, Deputy Clerk

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Staff

FISCAL IMPACT: +\$25 per chicken or bee permit accepted

SUMMARY AND ACTION REQUESTED:

Last year, staff began a comprehensive rewrite of the Animals Chapter of the City Code. This rewrite included removing the Livestock section from the Zoning Code, adding chickens as allowable animals on parcels of .5 acres or greater and bees as allowable animals on parcels greater than 1 acre, as well as other clean up language. Council recently amended the portion regarding dog licensing.

Staff is recommending that the City Council adopt the proposed changes to the Animals Chapter of the City Code through the following motion:

“Move to approve Ordinance 08-100, amending the Zoning Code concerning Livestock and Kennels, and also amending the Animals Chapter of the General Regulations of the City of Lake Elmo.”

In Addition, Staff is recommending that the City Council authorize summary publication of the approved Ordinance through the following motion:

“Move to approve Resolution 2014-12, authorizing summary publication of Ordinance 08-100.”

In addition, staff further recommends that the City Council adopt Ordinance 08-101, an ordinance amending the Municipal Fee Schedule, by taking the following action:

Move to approve Ordinance 08-101, an Ordinance amending municipal fees.”

LEGISLATIVE HISTORY:

Last year, Staff began a comprehensive rewrite of the Animals Chapter of the City Code. The changes made regarding cats and dogs were passed last October. The second part of this update includes removing the Livestock section from the Zoning Code, making chickens and bees allowable on parcels greater than one acre, and some clean up language regarding kennels.

Section one of the proposed Ordinance just removes the Livestock section from the Zoning Code. Section two puts the Livestock Section back into the Code by inserting it into the newly created Animals Chapter. It also adds a ‘purpose’ section and makes the ‘animal units’ section easier to understand by creating a table.

Sections three through five amend the Zoning Code regarding kennels. Section three changes the definition of a commercial kennel from the keeping of more than two dogs to the keeping of four or more. It also amends the definition of a private kennel to not allow more than six dogs. Section four clarifies that a commercial kennels require a CUP. Section five updates the Code to allow commercial or private kennels on parcels of five acres or greater as opposed to ten acres or greater.

Section six adds some clean up language to the sections of the current Animals Chapter regarding kennels. It clarifies that there will not be a license will not be required to operate a kennel. It also clarifies that properties zoned RT, A, or RR are allowed to have more than three cats or dogs.

Section seven adds an Article allowing Chickens to the Animals Chapter of the City Code. Currently, chickens are only allowed on parcels of ten acres or greater. This section of the Code would allow up to two chickens on parcels of .5 acre. The keeping of chickens on less than five acres is regulated by a table that was developed by staff along with input from the Planning Commission. A permit is required for parcels less than 5 acres. No permit is required for parcels 5 acres or greater. On parcels of over five acres, the keeping of chickens will be regulated by the animal unit equivalents. This section of the Code also lays out the requirements for having chickens, as well as permit conditions and the application process.

Section eight adds an Article allowing Bees to the Animals Chapter of the City Code. This article would allow bees to be kept on parcels of one acre or greater. The article also lays out the standards of practice, permit requirements and the application process for the keeping of bees.

Staff brought this update to the Planning Commission on October 28, 2013, January 27, 2014, and February 10, 2014. Their approval was needed to remove the Livestock section from the Zoning Code and their feedback was taken into consideration when writing the proposed Ordinance. The vote was 6-1, with Commissioner Lundgren voting no. Her opinion was the proposal was too conservative and restricting. Staff did take a very conservative stance on establishing these standards compared to other cities that have gone this direction.

BACKGROUND INFORMATION (SWOT):

Strengths The keeping of chickens and bees has become popular around the metro area. Staff has received quite a few inquiries as to our policy on the keeping of these animals. By developing standards and requirements for the keeping of these animals, it will allow Lake Elmo residents to partake in this growing trend and embrace the rural nature beloved by the community. By allowing livestock on parcels less than 10 acres, including chickens and bees, which have a much lower impact, it will be consistent with the current treatment of horses.

Weaknesses There is the potential for increased code enforcement and administration. This will at the same time be reduced due to the activity now being permitted.

Opportunities This program has potential to aide residents in having more control over their healthy and natural food choices.

Threats Problem permit holders could develop into nuisance properties; however, under current code enforcement efforts, this should not happen.

RECOMMENDATION:

Staff is recommending that the City Council adopt the proposed changes to the Animals Chapter of the City Code through the following motion:

“Move to approve Ordinance 08-100, amending the Zoning Code concerning Livestock and Kennels, and also amending the Animals Chapter of the General Regulations of the City of Lake Elmo.”

In Addition, Staff is recommending that the City Council authorize summary publication of the approved Ordinance through the following motion:

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Move to approve Ordinance 08-101, an Ordinance amending municipal fees.”

ATTACHMENTS:

1. Ordinance 08-100
2. Resolution 2014-12
3. Ordinance 08-101
4. Animal Ordinance Research Lot Size Analysis Map
5. Current Animal Unit Equivalency Chart
6. Proposed Animal Unit Equivalency Chart
7. Partial List of Metro Cities That Allow Backyard Chickens
8. Planning Commission Memo from January 27, 2014 and February 10, 2014
9. Excerpts from Planning Commission Minutes from October 28, 2013, January 27, 2014 and February 10, 2014

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-100

AN ORDINANCE AMENDING THE ZONING CODE CONCERNING LIVESTOCK
AND KENNELS AND ALSO AMENDING THE ANIMALS CHAPTER OF THE
GENERAL REGULATIONS OF THE CITY OF LAKE ELMO

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 Section 154.914 in its entirety.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title IX: General Regulations; Chapter 95: Animals, by adding the following language:

ARTICLE IV. LIVESTOCK

§ 95.50 LIVESTOCK.

(A) *Purpose.* The purpose of the following sections are to promote and preserve the natural resources within the City of Lake Elmo by regulating the keeping of livestock. Erosion as a result of overgrazing and leeching of manure into groundwater have adverse and potentially irreversible impacts on water quality and environmentally sensitive lands.

(B) ~~(A)~~ *Prohibition of manure deposition without safeguards.* No manure or livestock waste shall be deposited, stored, kept, or allowed to remain upon any site without reasonable safeguards adequate to prevent the escape or movement of the manure or wastes or a solution of the manure or wastes from the site which may result in pollution of any public waters or any health hazard.

(C) ~~(B)~~ *Pollution Control Agency standard minimum requirement.* All regulations imposed by the Minnesota Pollution Control Agency relating to keeping of livestock shall be adhered to and the regulations shall be considered the minimum safeguard necessary to prevent pollution of public water or creation of a health hazard.

(D) ~~(C)~~ *Inadequate safeguards.* In case the Zoning Administrator shall find that any manure is stored or kept on any lot or storage site without a safeguard, or that any existing safeguard is inadequate, the Zoning Administrator may order the owner or other responsible person to immediately remove the manure from the storage site and refrain from further storage or keeping of any manure at the site unless and until an adequate safeguard is provided.

(E) ~~(D)~~ *Hazards and nuisances.* On parcels of less than 40 acres which are not part of a larger crop-producing commercial agricultural farm, the keeping of horses, cattle, or other grazing animals on a site with less than 2 acres of existing grazable land per animal is, by this section, declared to be a nuisance. ~~Horses may be kept on any parcel larger than 5 acres.~~ No domestic farm animals, or livestock, other than chickens or bees, ~~or commercial kennels~~ shall be ~~placed~~ allowed on any ~~site~~ parcel of less than ~~10~~ 5 acres. No commercial kennels shall be placed on any site of less than 10 acres.

(F) ~~(E)~~ *Grazable acres.* Grazable acreage shall be defined as open, non-treed acreage exclusive of the homesite and yard that is currently providing enough pasture or other agricultural crops capable of supporting summer grazing at a density of 1 cow, or its equivalent, animal unit per 2 acres. Grazable acreage shall not include non-jurisdictional wetlands or slopes over 12%. There is a presumption that 0.5 acres of site are dedicated to the homesite and yard, or considered ungrazable. This presumption is subject to rebuttal if a different calculation can be established by owner and city.

(G) ~~(1)~~ For purposes of these regulations, the following animal equivalents apply: ~~one slaughter steer, heifer or horse 1.0; one mature dairy cow 1.4; one swine over 55 pounds .4; one sheep .1; one turkey .01; one chicken .01; one duck .02.~~ The number of permitted animals shall be determined by the following table:

TYPE OF ANIMAL	ANIMAL UNITS
One slaughter steer, heifer, or mature dairy cow	1.4
One horse, mule, donkey	1.0
One hog/swine	0.5
One sheep or goat, llama, or alpaca	0.2
One turkey or goose	0.1
One duck or other fowl	0.04
One chicken, 5 acres or more	0.02

(1) ~~(2)~~ For all other animals, the number of animal units shall be defined as the average weight of the animal divided by 1,000 pounds.

(2) The number of animal units allowed per parcel is cumulative. The animal density per parcel shall not exceed 1 animal unit equivalency per 2 grazable acres.

SECTION 3. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended in the following manner:

§154.012(B)(3)(c) *Commercial Kennel.* The boarding, breeding, raising, grooming or training of ~~two~~four or more dogs, cats, or other domestic pets of any age not owned by the owner or occupant of the premises, and/or for commercial gain.

§154.012(B)(12)(f) *Kennel, Private.* The keeping, breeding, raising, showing or training of 4 or more dogs, cats, or other domestic pets over ~~six~~four months of age for personal enjoyment of the owner or occupants of the property on parcels 5 acres or greater, and for which commercial gain is not the primary objective. The maximum number of animals allowed is 6.

SECTION 4. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended in the following manner:

§ 154.051 GB – GENERAL BUSINESS.

(A) *Permitted uses and structures.*

(5) *Uses permitted by conditional use permit.:*

Commercial Kennels	
--------------------	--

SECTION 5. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended in the following manner:

Table 9-1 is amended to read as follows:

§ 154.401 PERMITTED AND CONDITIONAL USES.

Table 9.1: Permitted and Conditional Uses, Rural Districts

Accessory Uses						
Kennel, Private	CP	CP	CP	-	-	154.404.I
Stable, Private	CP	CP	CP	-	-	154.404.I

§ 154.404 SITE DESIGN AND DEVELOPMENT STANDARDS.

- I. *Commercial Kennel, Commercial Stable, or Accessory Kennel or Stable, RT, A, RR Districts.* The commercial facility facilities 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. Private kennels or stables shall be allowed on sites at least five (5) acres in size.

SECTION 6. The City Council of the City of Lake Elmo hereby ordains that Title IX: General Regulations; Chapter 95: Animals, is hereby amended in the following manner:

§ 95.05 Number of Dogs and Cats Limited

- A. The keeping of a large number of dogs or cats poses health, safety and public welfare risks and is deemed a public nuisance.
- B. *Cats.* Unless the property owner ~~holds a valid kennel license~~ has an authorized kennel, no individual or family unit living together, firm, or corporation shall keep more than three (3) cats over the age of four (4) months on any parcel not zoned RT, A, or RR.
- C. *Dogs.* Unless the property owner ~~holds a valid kennel license~~ has an authorized kennel, no individual or family unit living together, firm, or corporation shall keep more than three (3) dogs over the age of four (4) months on any parcel not zoned RT, A, or RR.
- D. *Cats and Dogs.* Unless the property owner ~~holds a valid kennel license~~ has an authorized kennel, no individual or family unit living together, firm, or corporation shall keep more than a combination of three (3) cats and dogs over the age of four (4) months on any parcel not zoned RT, A, or RR.

§ 95.10 Prohibition of Kennels; Private Kennels

A. No commercial kennels may be established in the city unless a special use permit has been issued for the kennel as provided by the city ordinances regulating land use.

B. An individual or family unit living together, firm, or corporation may keep a private kennel consisting of a combination of no more than six (6) domestic pets over the age of four (4) months on any parcel 5 acres or greater in size and located in zoning districts RT, A, or RR.

Cross Reference: § 11.01 Definitions; §154.012 et seq. Zoning Use Types and Classifications.

SECTION 7. The City Council of the City of Lake Elmo hereby amends Title IX: General Regulations; Chapter 95: Animals, by adding the following language:

ARTICLE V. KEEPING OF CHICKENS

Sec. 95.60. Definitions

Sec. 95.61. Purpose

Sec. 95.62. Investigation and Enforcement

Sec. 95.63. Keeping of Chickens

Sec. 95.64. Permit Required; Term, Consent, Fee

Sec. 95.65. Application

Sec. 95.66. Permit Conditions

Sec. 95.67. Violations

Sec. 95.68. Issuance, Revocation

§ 95.60. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Brooding means the period of chicken growth when supplemental heat must be provided, due to the bird's inability to generate enough body heat.

Chicken means a domesticated bird that serves as a source of eggs or meat (*Gallus gallus domesticus*).

Coop means the structure for the keeping or housing of chickens permitted by the article.

Exercise yard means a larger fenced area that provides space for exercise and foraging for the birds when supervised.

Hen means a female chicken.

Officer means any person designated by the city as an enforcement officer.

Rooster means a male chicken.

Run means a fully-enclosed and covered area attached to a coop where the chickens can roam unsupervised.

§ 95.61. Purpose.

It is recognized that the ability to cultivate one's own food is a sustainable activity that can also be a rewarding pastime. Therefore, it is the purpose and intent of this article to permit the keeping and maintenance of hens for egg and meat sources in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety, and welfare of the community.

§ 95.62. Investigation and Enforcement.

Officers designated by the city shall have authority in the investigation and enforcement of this article, and no person shall interfere with, hinder or molest any such officer in the exercise of such powers. The city shall make investigations as is necessary and may grant, deny, or refuse to renew any application for permit, or terminate an existing permit under this article.

§ 95.63. Keeping of Chickens.

A. Chickens on less than 5 acres.

<u>Lot Size (acres)</u>	<u>Chickens Allowed</u>
<u>0.00 – 0.49</u>	<u>0</u>
<u>0.50 – 0.99</u>	<u>2</u>
<u>1.00 – 1.49</u>	<u>4</u>
<u>1.50 – 1.99</u>	<u>6</u>
<u>2.00 – 2.49</u>	<u>8</u>
<u>2.50 – 2.99</u>	<u>10</u>
<u>3.00 – 3.49</u>	<u>12</u>
<u>3.50 – 3.99</u>	<u>14</u>
<u>4.00 – 4.49</u>	<u>16</u>
<u>4.50 – 4.99</u>	<u>20</u>

B. Chickens on 5 acres or more.

Chickens maintained on parcels of 5 acres or more are restricted to 0.02 animal units per acre. A permit is not required for keeping chickens on a parcel size of 5 acres or more. For reference, see "Animal Unit Equivalency" chart in Section 95.50

§ 95.64. Permit Required; Term, Consent, Fee.

- A. No person shall (without first obtaining a permit in writing from the City Clerk) own, keep, harbor, or have custody of any live chicken on a lot less than five (5) acres.
- B. The first permit is valid for up to two (2) years beginning on the date of issuance and ending on December 31 of the following year. Subsequent permits are valid

from January 1 to December 31.

- C. Prior to issuance of a permit, notices must be mailed to all homes within 150 feet of the applicant's property lines.
1. If there are objections received within ten days of mailing the notices, then the permit application must be considered by the city council.
 2. If there are no objections received within ten days of mailing the notices, then the permit application will be processed by city staff. It will not be referred to the city council for consideration.
- D. The fee for a permit may be imposed, set, established and fixed by the city council, by ordinance, from time to time.

§ 95.65. Application.

Any person desiring a permit required under the provisions of this article shall make written application to the city clerk upon a form prescribed by and containing such information as required by the city. Among other things, the application shall contain the following information:

1. A description of the real property upon which it is desired to keep the chickens.
2. The breed and number of chickens to be maintained on the premises.
3. A site plan of the property showing the location and size of the proposed chicken coop and run, setbacks from the chicken coop to property lines and surrounding buildings (including houses and buildings on adjacent lots), and the location, type, and height of fencing proposed to contain the chickens in a run or exercise area. Portable coops and cages are allowed, but portable locations must be included with the site plan.
4. Statements that the applicant will at all times keep the chickens in accordance with all of the conditions prescribed by the officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this article and grounds for cancellation of the permit.
5. Such other and further information as may be required by the officer.

§ 95.66. Permit Conditions.

Each person keeping chickens within the City of Lake Elmo shall comply with the following:

1. No person may keep a rooster or crowing hen.
2. No person may allow chickens to range freely without fencing or without a mobile pen.
3. No person may keep chickens inside the house or attached garage.
4. Chickens must be provided a secure and well ventilated roofed structure ("chicken coop")
5. The roofed structure and required fencing for the chickens may only be located in a rear yard and must meet setback and building separations as established in

- city zoning and building codes, except that the roofed structure and fencing must maintain a 100 foot separation from dwellings on adjacent properties.
6. The roofed structure shall be fully enclosed, wind proof, and have sufficient windows for natural light.
 7. Chickens, coops, and/or runs shall not be kept in such a manner as to constitute a nuisance.
 8. The chicken coop and run shall be kept in good repair as to be in compliance with the property maintenance regulations elsewhere in the Code.
 9. All chicken coops must have a minimum size of four (4) square feet per bird and must be at least six (6) feet in height to allow access for cleaning and maintenance.
 10. Fenced in chicken runs must have a minimum of ten (10) square feet per bird and must be at least six (6) feet in height to allow access for cleaning and maintenance.
 11. No chicken shall be allowed to roam freely without being within a completely enclosed pen.
 12. Butchering a chicken must not be in public view.
 13. All butchering waste shall be disposed of in a sanitary manner.
 14. Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include burial, off-site incineration or rendering, or composting.

§ 95.67. Violations.

1. Any person violating any of the sections of this article shall be deemed guilty of a misdemeanor and upon conviction, shall be penalized in accordance with Section 10.99.
2. If any person is found guilty by a court for violation of this section, their permit to own, keep, harbor, or have custody of chickens shall be deemed automatically revoked and no new permit may be issued for a period of one year.
3. Any person violating any conditions of this permit shall reimburse the city for all costs borne by the city to enforce the conditions of the permit including, but not limited to, the pickup and impounding of chickens.

§ 95.68. Issuance, Revocation.

A. If granted, the permit shall be issued by the city clerk and officer and shall state the conditions, if any, imposed upon the permitted for the keeping of chickens under this permit. The permit shall specify the restrictions, limitations, conditions and prohibitions which the officer deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or to protect the public health and safety. Such permit may be modified from time to time or revoked by the officer for failure to conform to such restrictions, limitations, or prohibitions. Such modification or revocation shall be effective after ten days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintaining such chickens.

B. The city may revoke any permit issued under this article if the person holding the permit refuses or fails to comply with this article, with any regulations promulgated by the city council pursuant to this article, or with any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall, within ten days thereafter, humanely dispose of all chickens being owned, kept or harbored by such person, and no part of the permit fee shall be refunded.

SECTION 8. The City Council of the City of Lake Elmo hereby amends Title IX: General Regulations; Chapter 95: Animals, by adding the following language:

ARTICLE VI. KEEPING OF BEES

- Sec. 95.50 Definitions
- Sec. 95.51 Purpose of Ordinance
- Sec. 95.52 Standards of Practice
- Sec. 95.53 Colony Density
- Sec. 95.54 Permit Required
- Sec. 95.55 Penalty for Violation of Section

§ 95.70 Definitions

The following words and terms shall have meanings ascribed in this section unless the context of their used indicates another usage:

Apiary means the assembly of one or more colonies of bees at a single location.

Beekeeper means a person who owns or has charge of one or more colonies of bees.

Beekeeping equipment means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

Colony means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.

Hive means the receptacle inhabited by a colony that is manufactured for that purpose.

Honey bee means all life stages of the common domestic honey bee, *apis mellifera* (African subspecies and Africanized hybrids are not allowed).

Lot means a contiguous parcel of land under common ownership.

§ 95.71 Purpose of Ordinance

The purpose of this section is to establish certain requirements for beekeeping within the city, to avoid issues that might otherwise be associated with beekeeping in populated areas.

1. Compliance with this section shall not be a defense to a proceeding alleging that a given colony constitutes a nuisance, but such compliance may be offered as evidence of the beekeeper's efforts to abate any previous nuisance.

2. Compliance with this section shall not be a defense to a proceeding alleging that a given colony violates applicable ordinances regarding public health, but such compliance may be offered as evidence of the beekeeper's compliance with acceptable standards of practice among hobby beekeepers in the State of Minnesota.

§ 95.72 Standards of Practice

These standards of practice apply only to lots smaller than five (5) acres.

1. Honey bee colonies shall be kept in hives with removable frames, which must be kept in sound and usable conditions.
2. Each beekeeper must ensure that a convenient source of water is available within ten feet of each colony at all times that the colonies remain active outside the hive.
3. Each beekeeper must ensure that no wax comb or other material that might encourage robbing by other bees that are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other vermin-proof container.
4. Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hived painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms.
5. Honey bee colonies may only be kept on lots one acre or larger.
6. Each beekeeper is allowed to make in person sales of honey from the beekeeper's residence as long as the following standards are met:
 - i. The beekeeper must live on the apiary lot;
 - ii. All honey sold in person on the residential premise must be produced by the beekeeper's hives that are located on the subject residential premise;
 - iii. No products may be sold in person at the residence except honey and honey related products produced from hives on the premise;
 - iv. No outside storage or display of products or merchandise;
 - v. No traffic that is greater than the residential level of the neighborhood;
 - vi. No separate business entrance;
 - vii. All signage must comply with city sign regulations;
 - viii. Not more than 15 percent of the total gross floor area of the residence or 200 square feet, whichever is less is devoted to making, storing, and selling honey;
 - ix. No activity or equipment may be used that creates noise, vibration, glare, fumes, odor, or electric or television interference is permitted if it is detectable by adjacent neighbors; and
 - x. No nonresident employees are permitted.

§ 95.73 Colony Density

1. No person is permitted to keep more than the following numbers of colonies on any lot

within the city, based upon the size of the apiary lot:

- i. Lot one acre or larger but smaller than two and one-half acres: four colonies;
 - ii. Two and one-half acre lot or larger but smaller than five acres: six colonies;
 - iii. Five acres or larger: no restriction.
2. Colonies must be setback 25 feet from the property line of an adjacent occupied residential lot.

§ 95.74 Permit Required

1. No beekeeping may occur on properties of less than five (5) acres unless the city issues a permit to the beekeeper on that specific property. The permit will be valid for two growing seasons.
2. A beekeeping permit will only be issued if:
 - a. The permit application documents the satisfaction of all applicable items found in Sections 95.70-95.76 of the City Code, and
 - b. Notices have been mailed to all homes within 150 feet of the applicant's property lines.
 - i. If there are objections received within ten days of mailing the notices, then the permit application must be considered by the city council.
 - ii. If there are no objections received within ten days of mailing the notices, then the permit application will be processed by city staff. It will not be referred to the city council for consideration.
3. Permits are non-transferable and do not run with the land.
4. A permit constitutes a limited license granted to the beekeeper by the city and in no way creates a vested zoning right.
5. By signing the permit, the beekeeper acknowledges that he or she shall defend and indemnify the city against any and all claims arising out of keeping the bees on the premises.
6. Beekeeping permit fees shall be as established by the city council.
7. All standards of practice and colony density standards must be met in order to issue a permit.
8. If the standards of practice are not maintained subsequent to issuance of a beekeeping permit, the permit may be revoked by the city.
9. Beekeeping training is required for the beekeeper prior to issuance of an initial beekeeping permit by the city.
 - i. Either provide a certificate of completion from a honeybee keeping course from the

University of Minnesota or from Century College;

- ii. Request consideration for having completed a comparable course from another institution or instructor;
 - iii. Request consideration for substituting equivalent experience for the honeybee keeping course; or
 - iv. Provide a letter from a current beekeeping instructor at the University of Minnesota, Century College, or other educational institution offering similar beekeeping courses that states that the permit applicant has gained through other means a substantially similar knowledge base to one that could be gained through appropriate beekeeping courses at the University of Minnesota or Century College.
10. Any beekeeper wishing to make in person sales of honey from their home according to the standards of practice section must so indicate on the annual permit.

§ 95.75. Application.

Any person desiring a permit required under the provisions of this article shall make written application to the city clerk upon a form prescribed by and containing such information as required by the city. Among other things, the application shall contain the following information:

1. A description of the real property upon which it is desired to keep the bees.
2. A site plan of the property showing the location and size of the proposed apiary, the number of hives, setbacks from apiary to property lines and surrounding buildings (including houses and buildings on adjacent lots), and the location, type, and height of any related flyways.
3. Statements that the applicant will at all times keep the bees in accordance with all of the conditions prescribed by the officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this article and grounds for cancellation of the permit.
4. Such other and further information as may be required by the officer.

§ 95.76 Penalty for Violation of Section

Any person who shall violate the provisions of this section shall be guilty of a misdemeanor and upon conviction, shall be penalized in accordance with Section 10.99.

SECTION 9. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 10. Adoption Date. This Ordinance 08-100 was adopted on this _____ day of _____ 2014, by a vote of _____ Ayes and _____ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson
Mayor

ATTEST:

Adam Bell
City Clerk

This Ordinance 08-100 was published on the _____ day of _____, 2013.

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

RESOLUTION NO. 2014-12

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-100 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-100, an ordinance to the City's regulations pertaining to Livestock and Animals; 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. 08-100 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. 08-100, which amends the current sections of the City Code pertaining to Animals. The ordinance includes the following provisions:

- The ordinance removes the Livestock section from the Zoning Code and places it in the recently created Animals Chapter
- The ordinance clarifies the parameters for a commercial or private kennel and stables
- The ordinance clarifies which properties have limits for the number of cats and dogs allowed
- The ordinance adds a section on the keeping of chickens
- The ordinance adds a section on the keeping of bees

The full text of Ordinance No. 08-100 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.

Dated: February 18, 2014.

Mayor Mike Pearson

ATTEST:

Adam Bell, City Clerk

(SEAL)

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.

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

ORDINANCE NO. 08-101

AN ORDINANCE AMENDING MUNICIPAL FEES

The Lake Elmo City Council hereby adopts the following fee schedule amendment and directs that it be added to the Lake Elmo Municipal Code as Appendix A.

- Addition of \$25 permit fee for Chickens
- Addition of \$25 permit fee for Bees

ADOPTION DATE: Passed by the Lake Elmo City Council on the eighteenth day of February 2014 by a vote of ___ Ayes and ___ Nays.

CITY OF LAKE ELMO

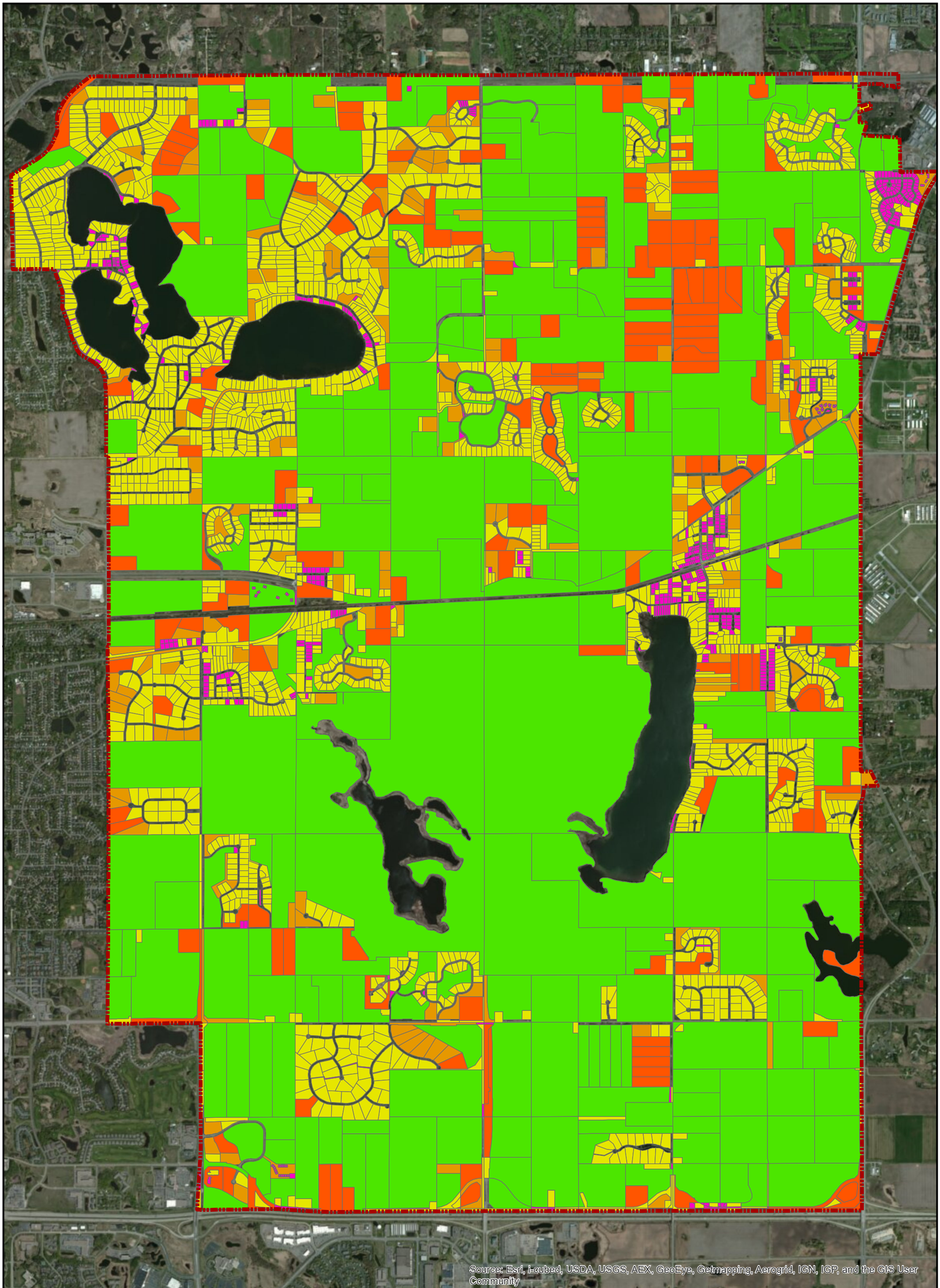
By: _____
Mike Pearson
Mayor

ATTEST:

Adam Bell
City Clerk

EFFECTIVE DATE: This ordinance shall become effective immediately upon adoption and publication.

PUBLICATION DATE: Published on the _____ day of _____ 2013.



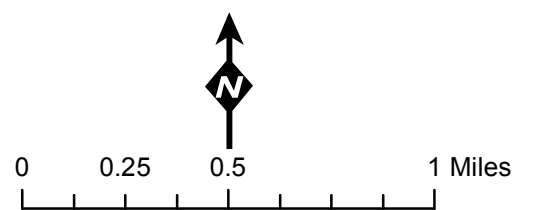
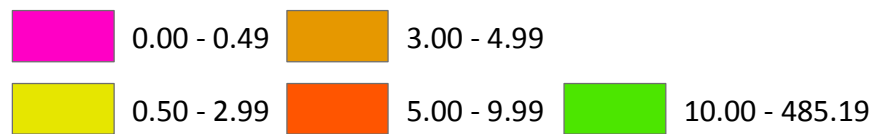
Source: Esri, Facebook, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

Animal Ordinance Research Map



Data Source: Washington County, MN
9-6-2013

Parcel Size (Acres)



Current Livestock Animal Unit Equivalents

Gross Acres	Grazable Acres	Total AU	Horse	Slaughter steer or heifer	Mature dairy cow	Swine over 55 lbs	Sheep	Turkey	Duck	Chicken
0.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0
1.0	0.5	0.3	0.3	0.3	0.2	0.6	3	25	13	25
1.5	1.0	0.5	0.5	0.5	0.4	1.3	5	50	25	50
2.0	1.5	0.8	0.8	0.8	0.5	1.9	8	75	38	75
2.5	2.0	1.0	1.0	1.0	0.7	2.5	10	100	50	100
3.0	2.5	1.3	1.3	1.3	0.9	3.1	13	125	63	125
3.5	3.0	1.5	1.5	1.5	1.1	3.8	15	150	75	150
4.0	3.5	1.8	1.8	1.8	1.3	4.4	18	175	88	175
4.5	4.0	2.0	2.0	2.0	1.4	5.0	20	200	100	200
5.0	4.5	2.3	2.3	2.3	1.6	5.6	23	225	113	225
5.5	5.0	2.5	2.5	2.5	1.8	6.3	25	250	125	250
6.0	5.5	2.8	2.8	2.8	2.0	6.9	28	275	138	275
6.5	6.0	3.0	3.0	3.0	2.1	7.5	30	300	150	300
7.0	6.5	3.3	3.3	3.3	2.3	8.1	33	325	163	325
7.5	7.0	3.5	3.5	3.5	2.5	8.8	35	350	175	350
8.0	7.5	3.8	3.8	3.8	2.7	9.4	38	375	188	375
8.5	8.0	4.0	4.0	4.0	2.9	10.0	40	400	200	400
9.0	8.5	4.3	4.3	4.3	3.0	10.6	43	425	213	425
9.5	9.0	4.5	4.5	4.5	3.2	11.3	45	450	225	450
10.0	9.5	4.8	4.8	4.8	3.4	11.9	48	475	238	475
10.5	10.0	5.0	5.0	5.0	3.6	12.5	50	500	250	500
11.0	10.5	5.3	5.3	5.3	3.8	13.1	53	525	263	525
11.5	11.0	5.5	5.5	5.5	3.9	13.8	55	550	275	550
12.0	11.5	5.8	5.8	5.8	4.1	14.4	58	575	288	575
12.5	12.0	6.0	6.0	6.0	4.3	15.0	60	600	300	600
13.0	12.5	6.3	6.3	6.3	4.5	15.6	63	625	313	625
13.5	13.0	6.5	6.5	6.5	4.6	16.3	65	650	325	650
14.0	13.5	6.8	6.8	6.8	4.8	16.9	68	675	338	675
14.5	14.0	7.0	7.0	7.0	5.0	17.5	70	700	350	700
15.0	14.5	7.3	7.3	7.3	5.2	18.1	73	725	363	725

Required Grazable Acres Per Animal Unit	2
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Animal Unit Equivalents	
Horse or similar	1.00
Slaughter steer or heifer	1.00
Mature dairy cow	1.40
Swine over 55 lbs	0.40
Sheep	0.10
Turkey	0.01
Duck	0.02
Chicken	0.01

Ownership is prohibited	
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Proposed Livestock Animal Unit Equivalents

Gross Acres	Grazable Acres	Total AU	Horse or similar	Cows	Hog/ Swine	Sheep/ Goat	Turkey/ Goose	Other Fowl	Chickens
0.5	0.0	0.0	0.0	0.0	0.0	0	0	0	0
1.0	0.5	0.3	0.3	0.2	0.5	1	3	5	4
1.5	1.0	0.5	0.5	0.4	1.0	3	5	10	6
2.0	1.5	0.8	0.8	0.5	1.5	4	8	15	8
2.5	2.0	1.0	1.0	0.7	2.0	5	10	20	10
3.0	2.5	1.3	1.3	0.9	2.5	6	13	25	12
3.5	3.0	1.5	1.5	1.1	3.0	8	15	30	14
4.0	3.5	1.8	1.8	1.3	3.5	9	18	35	16
4.5	4.0	2.0	2.0	1.4	4.0	10	20	40	18
5.0	4.5	2.3	2.3	1.6	4.5	11	23	45	20
5.5	5.0	2.5	2.5	1.8	5.0	13	25	50	125
6.0	5.5	2.8	2.8	2.0	5.5	14	28	55	138
6.5	6.0	3.0	3.0	2.1	6.0	15	30	60	150
7.0	6.5	3.3	3.3	2.3	6.5	16	33	65	163
7.5	7.0	3.5	3.5	2.5	7.0	18	35	70	175
8.0	7.5	3.8	3.8	2.7	7.5	19	38	75	188
8.5	8.0	4.0	4.0	2.9	8.0	20	40	80	200
9.0	8.5	4.3	4.3	3.0	8.5	21	43	85	213
9.5	9.0	4.5	4.5	3.2	9.0	23	45	90	225
10.0	9.5	4.8	4.8	3.4	9.5	24	48	95	238
10.5	10.0	5.0	5.0	3.6	10.0	25	50	100	250
11.0	10.5	5.3	5.3	3.8	10.5	26	53	105	263
11.5	11.0	5.5	5.5	3.9	11.0	28	55	110	275
12.0	11.5	5.8	5.8	4.1	11.5	29	58	115	288
12.5	12.0	6.0	6.0	4.3	12.0	30	60	120	300
13.0	12.5	6.3	6.3	4.5	12.5	31	63	125	313
13.5	13.0	6.5	6.5	4.6	13.0	33	65	130	325
14.0	13.5	6.8	6.8	4.8	13.5	34	68	135	338
14.5	14.0	7.0	7.0	5.0	14.0	35	70	140	350
15.0	14.5	7.3	7.3	5.2	14.5	36	73	145	363

Required Grazable Acres Per Animal Unit	2
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Animal Unit Equivalents	
Horse	1.00
Cows	1.40
Hog/Swine	0.50
Sheep/Goat	0.20
Turkey	0.10
Other Fowl	0.05
Chicken	0.02

Ownership is prohibited	
Ownership is new	

Notes:
 No grazable animals may be kept on parcels less than 5 acres.
 Parcels larger than 40 acres are not subject to grazable acreage requirement.
 Total Animal Units are Cumulative.
 Animal Units do not round up
 Grazable Acres calculation includes presumption of 0.5 acres of gross acreage being ungrazable. This presumption is subject to rebuttal if different calculation can be established by owner and city.

Cities Allowing Chickens (Partial List)

City	County	Population
Afton	Washington	2916
Andover	Anoka	30598
Anoka	Anoka	17243
Bayport	Washington	3605
Burnsville	Dakota	61130
Cottage Grove	Washington	35181
Dayton	Anoka	4833
Eagan	Dakota	64854
Falcon Heights	Ramsey	5443
Farmington	Dakota	21926
Fridley	Anoka	21639
Ham Lake	Anoka	15552
Hastings	Dakota	22321
Inver Grove Heights	Dakota	34198
Maplewood	Ramsey	39337
Minneapolis	Hennepin	392880
Mnetonka	Hennepin	51123
Montrose	Wright	2968
Newport	Washington	3453
Oakdale	Washington	27726
Otsego	wright	14138
Ramsey	Anoka	24071
Richfield	Hennepin	36087
Robbinsdale	Hennepin	14263
Rosemount	Dakota	22420
Roseville	Ramsey	34666
Shoreview	Ramsey	25628
St Paul Park	Washington	5324
St. Paul	Ramsey	290770
Stillwater	Washington	18542
Vadnais Heights	Ramsey	12764
West St Paul	Dakota	19708



Planning Commission
Date: 1/27/14
Item: ??
Public Hearing

ITEM: Animal Ordinance Update
SUBMITTED BY: Adam Bell, City Clerk
REVIEWED BY: Beckie Gumatz, Deputy Clerk

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Zoning Text Amendment as part of the comprehensive update of the City's Animal Code. Staff amended the Animals Chapter of the City Code regarding cats, dogs, horses, and dangerous animals in the fall of 2013. We are now looking at moving the Livestock section from the Zoning Code to the Animals Chapter, amending the definition of a Kennel, as well as adding sections on the keeping of Chickens and Bees. Staff is respectfully requesting action from the Planning Commission in two regards.

Staff is first recommending that the Planning Commission recommend approval of the proposed removal of the Livestock section from the Zoning Code to allow it to be placed in the Animals Chapter of the City Code, along with the perfecting amendments to the various sections related to Kennels and stables. In order to remove the Livestock section from the Zoning Code, a public hearing is required. Secondly, as the proposed ordinance involving the keeping of chickens and bees does have limited land use implications, staff is also respectfully requesting input and feedback from the Planning Commission, along with a recommendation for approval of the entire proposed Animals Chapter Ordinance amendment.

BACKGROUND INFORMATION:

City Staff is updating the current Animals Chapter of the City Code. As part of this update, city staff is looking to move the Livestock section from the Zoning Code into the Animals Chapter. Staff also is proposing changes to the definition of a private kennel. Staff would also like to add language to specifically allow chickens and bees on certain parcels in the City. There have been many requests and inquiries from the public on whether or not the city allows these animals. There is also a growing trend of people wanting to produce their own food. There are many communities around the metro area that are starting to allow chickens and bees for this very reason.

Staff previously introduced this topic as a business item at the 10/28/2013 Planning Commission meeting. Some highlighted concerns included the number of chickens being perhaps too high and confusion in determining the allowed number of animals. The input gained from that discussion has been incorporated in the new draft language. The number of allowed chickens has been substantially reduced. Staff has retained the use of the

Animal Unit calculations as this is the standard practice for livestock in most municipalities; however, staff has produced an Animal Unit Equivalency Worksheet to aid in the calculation of allowed animals on parcels five acres or larger. This worksheet is attached.

The proposed ordinance for these updates will have eight sections and they are as follows:

- Removing Livestock section from the Zoning Code. Staff feels this would be prudent because with the addition of Chickens and Bees as allowable animals on smaller lots in the City of Lake Elmo, it will facilitate easier compliance by the public and administration and enforcement by the City.
- Place and amend Livestock section in the Animals Chapter of the Code. Staff has proposed changes to some of the animal units, as well as changing the amount of acreage allowed to have livestock in the City of Lake Elmo. The main change that has been made to the Livestock chapter is allowing domestic farm animals and livestock on parcels of five acres or more. Previously, ten acres were required in order to have domestic farm animals or livestock, with the exception of horses. In accordance with this lowering of the amount of required parcel size, staff has also made changes to the animal unit equivalents. They are detailed in a table in the draft ordinance which is attached to this document. Language was also added to clarify that animal units are cumulative. This means that no one is allowed to have more than a density of one animal unit per two grazable acres.
 - Example 1: Under current code, owner has 8 acres with the presumption that 7.5 are grazable acres. He has a total AU of 3.8. He is allowed to have 3 horses, but not a single chicken, sheep/goat, turkey, duck, all of which arguably require less care and create more impact on land.
 - Example 2: Under proposed amendment, owner has 5 acres with the presumption that 4.5 are grazable acres. He has a total AU of 2.3. He can have 2 horses. Horses are 1 Animal Units.
 - Example 3: Under proposed amendment, owner has 8 acres with the presumption that 7.5 are grazable acres. He has a total AU of 3.8. He can have 2 cows. Cows are 1.4 Animal Units.
 - Example 4: Under proposed amendment, owner has 8 acres with the presumption that 7.5 are grazable acres. He has a total AU of 3.8. He can have 2 horses, 1 cow, and either 3 turkey or 5 fowl or 1 goat or 4 chickens total.
- Amend the Kennel definitions section in the Zoning Code. Most of this language was changed to establish consistency between the updates and existing city code. Currently, the zoning definitions of commercial and private kennels conflicted with the general definition of a kennel. The commercial kennel definition was amended to require four or more dogs, cats or other domestic pets, rather than two. This is to make it consistent with the animal ordinance that was adopted by council on October 1. The private kennel definition was amended to apply to

dogs, cats, and other domestic pets rather than just applying to dogs. Language was also added to this definition that states that it applies to parcels of land five acres or greater and that the maximum number of animals allowed is six.

- Amending 'General Businesses – Conditional Use' Table in Section 154.051(A). Language is added to clarify that only commercial kennels require a CUP.
- Amending Table 9.1: Permitted and Conditional Uses, Rural Districts, and corresponding Development Standards section. These sections were amended to allow private kennels and stables to be permitted uses in RT, A, and RR districts. Language was also added to clarify that commercial kennels may not be located on parcels less than 10 acres while accessory kennels and stables only require parcels of 5 acres. This change is needed to comply with preexisting horse regulations.
- Add clean up language to 'Prohibition of Kennels' and 'Number of Dogs and Cats Limited' sections of Animal Code. This is merely clean up language. Based on the changes made in section 3 regarding Kennels, updates were needed to the Animal Code to maintain consistency. The language referencing kennel licenses was removed, as the City will not be issuing kennel licenses.
- Add a section to the Animal Code regarding Keeping of Chickens. As stated previously, the city has received quite a few inquiries about the rules regulating the keeping of chickens in the city. After extensive research by staff of surrounding and similar communities, staff is proposing adding a section the Animal Code that would allow chickens in the City of Lake Elmo on parcels less than ten acres. Roosters and crowing hens are strictly prohibited on parcels less than five acres. Staff broke down the number of chickens allowed into two different sections. First, a minimum of a half-acre is required for any property to have any chickens. If you live on one half-acre to an acre of land you are allowed two chickens. If you live on one acre to one and one-half acres you are allowed four chickens. The number goes up by two chickens per half acre until you get to five acres. Chickens on parcels of five or more acres are restricted to 0.02 animal units per acre. The City also would require a permit for the keeping of chickens on parcels of less than five acres. The first permit will be valid for up to two years, with subsequent permits being valid from Jan 1 to Dec 1 of the same year. The requirements for application and the permit conditions are detailed in the proposed ordinance. Of note, Stillwater just recently passed an ordinance allowing the keeping of chickens, which staff used as part of its research.
- Add a section to the Animal Code regarding Keeping of Bees. Staff also received requests to allow bees to be kept in the city. Staff also researched similar and surrounding communities when drafting the section of the ordinance that deals with bees. Bees are not allowed on properties of less than one-half acre. The ordinance also lays out how many colonies are allowed to be kept on parcel sizes. Lots equal to or larger than one-half acre but less than one acre are allowed two colonies. Lots one acre or larger but smaller than two and one-half acres are allowed four colonies, while lots two and one-half acres to five acres are allowed six colonies. There are no restrictions on lots which are five or more acres in size.

Permits are also required for the keeping of bees in the city. The permits are valid for two years. The ordinance also states that beekeeping training from a credible course is required before any beekeeping permits will be issued. More information on the bee section of the animal ordinance can be found in the attached ordinance. Of note, Stillwater just recently passed an ordinance allowing the keeping of bees, which staff used as part of its research.

RECOMMENDATION:

1. Staff is recommending that the Planning Commission recommend approval of the proposed removal of the Livestock section from the Zoning Code to allow it to be placed in the Animals Chapter of the City Code, along with the perfecting amendments to the various sections related to kennels and stables as well as provide input and recommend approval of the proposed ordinance related to the keeping of chickens and bees to the City Council through the following motion:

“Move to recommend approval of the adoption of Animal Ordinance, amending the Zoning Code concerning Livestock and Kennels and amending the Animals Chapter of the General Regulations of the City of Lake Elmo.”

ATTACHMENTS:

1. Ordinance 08-0XX
2. Current Livestock Ordinance
3. Lot Size Analysis Map
4. Animal Unit Worksheet
5. Excerpt of 10/28/2013 Planning Commission Minutes related to topic
6. List of area municipalities that allow backyard chickens

ORDER OF BUSINESS:

- Introduction.....Planning Staff
- Report by Staff.....Deputy City Clerk
- Questions from the Commission..... Chair & Commission Members
- Discussion by the Commission..... Chair & Commission Members



PLANNING COMMISSION
DATE: 2/10/14
AGENDA ITEM: 5B

ITEM: Zoning Text Amendment – Animal Ordinance Update
SUBMITTED BY: Adam Bell, City Clerk/Asst. City Administrator
REVIEWED BY: Nick Johnson, City Planner
Beckie Gumatz, Deputy City Clerk

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to consider a Zoning Text Amendment as part of the comprehensive update of the City's Animal Code. Staff amended the Animals Chapter of the City Code regarding cats, dogs, horses, and dangerous animals in the fall of 2013. We are now looking at moving the Livestock section from the Zoning Code to the Animals Chapter, amending the definition of a Kennel, as well as adding sections on the keeping of Chickens and Bees. Staff is respectfully requesting action from the Planning Commission in two regards.

Staff is first recommending that the Planning Commission recommend approval of the proposed removal of the Livestock section from the Zoning Code to allow it to be placed in the Animals Chapter of the City Code, along with the perfecting amendments to the various sections related to Kennels and stables. In order to remove the Livestock section from the Zoning Code, a public hearing is required. Secondly, as the proposed ordinance involving the keeping of chickens and bees does have limited land use implications, staff is also respectfully requesting input and feedback from the Planning Commission, along with a recommendation for approval of the entire proposed Animals Chapter Ordinance amendment.

REQUEST DETAILS

City Staff is updating the current Animals Chapter of the City Code. As part of this update, city staff is looking to move the Livestock section from the Zoning Code into the Animals Chapter. Staff also is proposing changes to the definition of a private kennel. Staff would also like to add language to specifically allow chickens and bees on certain parcels in the City.

Staff previously introduced this topic as a business item at the 10/28/2013 Planning Commission meeting. The input gained from that discussion was incorporated in the new draft language, which was submitted to the Commission for the 1/27/2014 meeting that included a public hearing. The Commission voted 7-0 to postpone passage until staff provided additional information.

Based on the feedback provided by the Commission at the 1/27/14 meeting, staff has made the following additional changes:

- The Minimum acreage required to keep bees has been raised from .5 acres to 1.0 acres as requested.

- Regarding the use of Animal Unit Equivalents to determine the number of allowed animals:
 - Animal Unit Equivalents (AU) are the standard used by most communities throughout the state and country to ensure that the carrying capacity of grazing animals on their habitat. The MPCA and MN Department of Agriculture use and recommend using AU. Staff must note that the City is already using the AU standard and has a currently higher threshold than many other comparable cities. Lake Elmo requires 2 grazable acres per 1 Animal Unit. Most communities only require 1 acre. The proposal further decreases the number of animals allowed to accommodate lots smaller than 10 acres. Animals not specifically listed on the chart are calculated average weight of the animal divided by 1,000 pounds. This is the universal standard. The chart that was created is a worksheet to be used by staff and the public to simplify the calculation of allowed animals. The chart can be further simplified for the public, if the Commission prefers.
 - Concerns expressed regarding noise and odor issues can be addressed by the permitting process as well as the City nuisance ordinances and state regulations.
 - Setbacks for bees were established at 25 feet. The flyway is required for colonies less than 50 feet from the adjacent occupied residential property.
 - Staff does expect to conduct site visits, but the entire permitting/application process has not been completed yet because it will depend on the final ordinance language. Staff did not want to codify this requirement if it determines that it is not necessary for all applications. If the Commission desires, the application process similar to the chickens permit can be added. Included would be: a site plan, setbacks, etc. This new language has been added.
 - If there are any specific animals the Commission recommends excluding, they can do so. There is already a comprehensive list of prohibited animals in the city code that was just re-adopted by the council. *See City Code § 95.92.*
 - Llamas, alpacas, and similar animals were not listed in current livestock ordinance. Due to the increasing popularity of these animals, staff thought it prudent to include them at this time. Most communities do include them along with sheep and goats; however, staff took a more conservative approach to setting their AU. This has been changed in the new proposal.
 - Regarding the definition of chicken, this is the common dictionary definition. Staff recommends adding further specification rather than eliminating the definition. Further specification has been added. In the AU standards, other fowl are distinguished.
 - Regarding the term of the chicken permit, staff believed that it should be an annual permit similar to dog licenses for ease of staff processing, with the exception of the first term to accommodate the chickens and coop to be established depending on when permit was obtained. Bee keeping permits are valid for two years as they involve more time to establish and maintain.
 - Bee-keeping permits were intended to only be required on parcels less than five acres. This clarification has been added.
-

RECCOMENDATION

Staff is recommending that the Planning Commission recommend approval of the proposed removal of the Livestock section from the Zoning Code to allow it to be placed in the Animals Chapter of the City Code, along with the perfecting amendments to the various sections related to kennels and stables, as well as provide input and recommend approval of the proposed ordinance related to the keeping of chickens and bees to the City Council through the following motion:

“Move to recommend approval of the adoption of Animal Ordinance, amending the Zoning Code concerning Livestock and Kennels and amending the Animals Chapter of the General Regulations of the City of Lake Elmo.”

ATTACHMENTS:

1. Ordinance 08-0XX
2. Simplified Animal Unit Worksheet
3. Excerpt of 1/27/2013 Planning Commission Minutes related to topic

ORDER OF BUSINESS:

- Introduction Planning Staff
- Report by Staff Planning Staff
- Questions from the Commission Chair & Commission Members
- Open the Public Hearing Chair
- Close the Public Hearing Chair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

Haggard stated that if people wanted to use their land differently and we want to consider that, we need to notify people.

Public comments were accepted by the Planning Commission:

Larry Weiss, 9302 Stillwater Blvd, would like to see the Friedrich property go back to RAD.

Ed Nielson, 9498 Stillwater Blvd, feels that RAD-2 is not an appropriate zone and does not fit the surrounding area.

Susan Dunn, 11018 Upper 33rd St, stated that she felt that RAD-2 should go away. She noted she supports the OP Ordinance, RS and RE developments.

Steve Delapp, 8468 Lake Jane Trail, corrected the legislative history of the RAD-2 land use category and stated that nothing north of 10th street other than the Old Village should have this type of density.

Klatt asked the Planning Commission how they wanted to address the questions related to the rural planning area. The Planning Commission would like to just continue to discuss the rural areas as a whole rather than to discuss individual properties. The Commission wanted this to come back to their next meeting.

Haggard and Kreimer both feel that there is more to discuss than just RAD and RAD-2. They would like to see RE & RS discussed as well as other things.

Business Item: Animal Ordinance Update

Bell presented the updates to the animal ordinance. The cats and dogs section was recently updated. Bell stated that there have been a lot of inquiries in regards to livestock, especially chickens and bees. The trend in the metro is that people are interested in making their own food. Currently the livestock section is in the zoning code, but staff would like to see that moved to the animal section. Currently the code limits the keeping of livestock to 10 acres. That is one of the questions that should be addressed. Staff is proposing that chicken and bees would be allowed on ½ acre with a permitting process. This seems consistent with the metro trend.

Johnson stated that a lot of communities are going the direction of allowing bees and chickens on smaller acreage, but the staff has also gotten a lot of inquiries about the keeping of chickens on smaller acreage.

Morreale would like to see a scale for chickens that is more in line for personal consumption. It seems that if you can have 32 chickens on 2.5 acres that is more commercial in nature and would create problems with waste, etc. He feels that the

scale is too high. Bell stated that homeowners associations might also limit some of these things. Bell said that these were preliminary numbers and they are looking for input.

Haggard stated that there are a lot of properties that do not have HOA's and it could be a problem. She also asked that with the 2 year licensing, will the staff be sending a notice out when that license is to expire. Bell confirmed that the permitting period is correct.

Johnson stated that this activity is already taking place and if we put in good regulations that are followed respectfully, there should be less problems.

Lundgren stated that she likes that the education component is required for the beekeeping.

Dodson feels that the chart is confusing and should be cleaned up. The animal units are confusing. Bell stated that it has to do with grazeable acreage. You need a minimum of 5 acres for any livestock other than bees or chickens. Staff will work to clean up the table. Dodson was wondering why there was a distinction between chickens and other fowl. Bell stated that it is how other Cities have their code. The requests have been for chickens. Also the different birds have different needs with chickens being the easiest to care for.

Dodson asked who was able to have roosters. Bell stated that anyone over 5 acres would be allowed to have roosters.

Updates and Concerns

Council Updates

1. Variance – 09.029.21.22.0025 (Hill Trail North) was approved at the October 15, 2013 meeting with the 2 conditions discussed at the Planning Commission meeting.
2. Met Council 2040 Growth Forecast Discussion.

Staff Updates

1. Planning Commission has meetings upcoming on November 13th and 25th. The meeting on 11/13/13 is on a Wednesday due to the Veterans Day holiday.
2. Discussed having finding of facts worksheets that sets out what the criteria is and helps to formulate how to come up with your decision. Worksheets were handed out by Planner Johnson.



**City of Lake Elmo
Planning Commission Meeting
Minutes of January 27, 2014**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Williams, Yocum, Dodson, Haggard, Dorschner, Kreimer and Larson;

COMMISSIONERS ABSENT: Lundgren and Morreale; and

STAFF PRESENT: Community Development Director Klatt

Approve Agenda:

Agenda accepted as published.

Approve Minutes: December 13, 2013

M/S/P: Kreimer/Dorschner, move to accept the minutes as presented, **Vote: 6-0.**

Public Hearing: Zoning Text Amendment – Livestock Ordinance.

Klatt began his presentation by explaining that they are proposing to move the Livestock Ordinance to a comprehensive animal chapter in the code. This change will redefine commercial and private kennels, amend the table and provide for private and commercial kennels through permitted or conditional uses, and allow the keeping of chickens and bees on parcels greater than half an acre with a permit review. The biggest change would allow domestic farm animals on 5 acres vs. the previous 10 acres and will slightly increase the animal equivalent units.

Dodson asked if the chart would be included and if it is cumulative and can interchange animals. Klatt explained that yes it is cumulative. The Planning Commission thought the point system seemed a little confusing and it should be made a little clearer by getting away from the decimal system. Klatt stated that the chart would not be included in the code, but was being used for illustrative purposes.

Larson asked what someone's recourse would be if there was negative impact from the smell of turkeys or chickens on smaller acreage. Klatt stated that we have nuisance and PCA standards to fall back on. Also, on smaller acreage if someone isn't taking good care of the area, the permit could be revoked or not renewed.

Haggard asked about the setbacks for bee hives. Klatt stated that this should probably be looked at.

Dorschner asked if there would be a site visit along with the permit. Klatt stated that if the Planning Commission felt that was important, it could be made part of the standards.

Dodson was wondering if there were any animals that we specifically want to exclude. He also felt that llama should be part of the goat category.

Public hearing opened at 7:48pm.

Written comment was received from Mr. Bob Engstrom in favor of the keeping of bees.

Public hearing closed at 7:49pm.

Larson asked about sounds created by animals, for instance, peacocks can be very noisy. Dodson stated that we need to be somewhat tolerant of smell and sounds if we want to live in a rural area.

The Planning Commission thought the definition of chicken was too loose and should be re-worded. Klatt agreed and would check with the clerk to see if it can just be taken out.

Williams asked why the first permit was good for 2 years and only 1 year thereafter. It seems backwards. Kreimer stated that it is probably because the year you apply in would not be a stub year and it would be good the full year after that. Dodson thought the permit should go for 3 years as one year is a lot for staff to administer. Dorschner thought one year is reasonable as that way everyone is on the same schedule. Klatt stated that it would be administratively easier to have a set schedule for them. The Planning Commission agreed that it should stay at every year.

Kreimer & Dorschner thought there should be setbacks from the property line for chickens and bees. The Planning Commission would like to see the smallest acreage for bees be 1 acre.

Haggard was wondering why bee keeping education was only for small acreage and thinks that it should be all or nothing. Klatt stated that the way it is written it would apply to everyone, but believes the intent was for 5 acres or less.

Kreimer suggested that a bee colony be located at least 25 feet from a property line of an adjacent occupied residential lot. The Planning Commission agreed with that wording.

Williams was wondering about the selling of eggs on site as selling honey is specifically talked about. Klatt stated that state law allows people to sell agricultural products produced on site.

M/S/P: Kreimer/Larson, move to postpone consideration of the Livestock Ordinance until further information is obtained from staff ***Vote: 7-0, motion carried unanimously.***

Public Hearing: Zoning Text Amendment – Zoning District Cleanup.

Klatt began his presentation by stating that these amendments are intended to remove outdated zoning districts that are no longer utilized under the City's Comprehensive Plan and official Zoning Map. This cleanup will improve the organization of the document. The cleanup will remove 26 zoning districts, 19 of which are holding districts.

Public hearing opened at 8:40pm.

No written comment was received.

Public hearing closed at 8:41pm.

M/S/P: Larson/Kreimer, move to amend the zoning code to remove outdated zoning districts as presented, ***Vote: 7-0, motion carried unanimously***

Business Item: Sketch Plan Review – Easton Village

Klatt presented a proposed Sketch Plan that includes 224 single family homes and is located in the southeastern portion of the Village. Is located in the MUSA area and will have City water and sewer services. This project is 98 acres in size and comprised of 4 parcels. The gross density is 2.29 units per acre. This is consistent with the comprehensive plan. The zoning is LDR for this property. Part of the property includes green belt buffering and part of the larger planned park. The airport safety zones will come into play to some extent on this property. This property would include the village parkway which would be a minor collector street for the village. There is an existing home to the south of the railroad tracks that has a private crossing of the railroad tracks. This property will need to access one of the internal streets servicing this development. Major things that staff would like to see addressed before preliminary plat are the design of the subdivision and complying with the overall intent and purpose of the Village master plan. There needs to be more connectivity and integrate more traditional neighborhood elements. Want to ensure that there are sidewalks and trails that connect back to the Village and to Reid Park. The AUAR had some mitigation

Kreimer noted that Linden trees in the Stonegate neighborhood have been decimated by Asian Beetles.

Dodson thanked Ryan Bluhm for addressing the Planning Commission's questions.

Dodson noted that he thinks that the City should take a larger role in maintaining common open spaces. In addition, HOAs made up of residents that are often not properly equipped to deal with the many broad issues that a neighborhood may face. Dodson suggested removing condition #5 from the recommended list of conditions. Haggard agreed that neighborhoods are sometimes not equipped to deal with some of these issues, but she does not think it's fair that the City maintains common spaces for certain neighborhoods. Kreimer noted that neighborhoods will likely include much more robust landscaping than the City is equipped to maintain.

Dorschner asked how many HOAs would likely serve the development. Bluhm noted that two HOAs are likely; one HOA for the single family area and one HOA for the townhome area.

Klatt also provided comments regarding HOAs. First, he stated that the City does not have enough capacity to maintain many common open areas.

Lundgren asked about condition #16. Klatt provided further explanation of the process.

Haggard asked if it would be possible to beautify the mail boxes a little bit. Bluhm noted that it could be possible. Haggard also asked if the monument sign has to read "A Lennar Development". Bluhm noted that the applicant would prefer to keep the Lennar name on the monument.

M/S/P: Haggard/Dorschner, move to add a condition that the Planning Commission would encourage the applicant to incorporate the design elements of the City's Theming Study into the proposed mailboxes within the Savona Subdivision, **Vote: 7-0, motion carried unanimously.**

M/S/P: Lundgren/Dorschner, move to recommend approval of the Savona Final Plat with the 15 conditions of approval as drafted by staff and the Planning Commission, **Vote: 6-1, motion carried,** with Dodson voting no.

Dodson wanted it known that he voted against the motion due to condition #5, related to the requirement of establishing an HOA to maintain common open areas.

Business Item: Zoning Text Amendment – Livestock Ordinance

Planner Johnson started discussion by stating that they are bringing back a revised version of the ordinance based on the discussion at the last meeting. The most

significant change is raising the minimum lot size for bees from ½ acre to one acre. From earlier discussion, it appears that the Planning Commission would also like to see that change for chickens as well. Johnson noted that this is a fairly conservative approach based on what other communities are doing.

Based on the fact that the public notice for the Planning Commission was only intended to address moving the Livestock Ordinance out of Zoning Code, there will be another public hearing next Tuesday night at the City Council meeting. This public hearing will allow the public to give more input on the proposed amendments to the City's Animal Ordinance, including the addition of bees and chickens on smaller lots.

Kreimer said that the Planning Commission wanted a 25 foot setback from an occupied residential lot for chickens and bees.

Dodson was wondering why Johnson considers the proposed ordinance conservative or cautious. Johnson stated based on the research that staff has completed of what other communities have in their code related to bees and chickens, the proposed approach is fairly conservative.

Dodson wanted clarification of chart because it was a little confusing regarding chickens on less than 5 acres.

Kreimer stated we would need to change the chart to one acre and there is a section that needs to be amended for the setbacks.

Haggard is wondering if it should state that the coops need to be in the backyard. Johnson stated that a coop would follow the accessory structure setback.

M/S/P: Kreimer/Larson, move to recommend approval of the adoption of Animal Ordinance, amending the Zoning Code concerning Livestock and Kennels and amending the Animals Chapter of the General Regulations of the City of Lake Elmo, **Vote: 6-1, motion carried**, with Lundgren voting no.

Lundgren wanted to make her position clear that she voted against the motion because she feels that the proposed ordinance does not provide enough opportunity for smaller parcels to have chickens and bees.

Business Item: Zoning Text Amendment – Accessory Structures

Nick Johnson presented a summary of proposed Zoning Ordinance amendments to revise the regulations concerning accessory buildings. Staff is proposing to eliminate the existing accessory building provisions and replace these sections with new language. The City has previously adopted general accessory building requirements as part of the specific zoning district standards.



MAYOR & COUNCIL COMMUNICATION

DATE: February 18, 2014
REGULAR AGENDA
ITEM #12
ORDINANCE 08-102

AGENDA ITEM: Zoning Map Amendment – Savona Subdivision

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

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

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: The Planning Commission and Staff recommend amending the Lake Elmo Zoning Map to rezone the area that is included as part of the Savona residential subdivision. The proposed map amendment will establish zoning for the area that is consistent with the Comprehensive Plan.

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED: The City Council is asked to consider a zoning map amendment to related to the Savona Subdivision being proposed by Lennar Homes. Now that the property owners have an approved Preliminary Plat application and utilities are now available to the site, the applicants are requesting to rezone the properties in a manner consistent with the City’s Comprehensive Plan. The Planning Commission and Staff are recommending approval of the Zoning Map Amendment request.

The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Ordinance 08-102 amending the Lake Elmo Zoning Map for the area included in the Savona preliminary plat”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The City Council approved the preliminary plat for the Savona subdivision on August 6, 2013 and later in the year approved a public improvement project to bring sanitary sewer and water to the proposed residential development and area surrounding Savona. At the time of preliminary plat approval, the area included as part of the preliminary plat was and still is zoned RT – Rural Transitional. With the recent extension of public services to the site, the developer is asking the City to amend the Zoning Map for this area to reflect a zoning designation that is consistent with the Comprehensive Plan. In this case, Staff has prepared a zoning map amendment that will change the zoning of the property included in the Savona preliminary plat from RT – Rural Transitional to LDR – Low Density Residential and MDR – Medium Density Residential in accordance with the attached map.

Additional details concerning the property to be rezoned are included in the attached report to the Planning Commission.

The Planning Commission reviewed the proposed zoning map amendment at a meeting on February 10, 2014 and conducted a public hearing on the request at this time. No one spoke in favor or against the proposed map amendment, which was unanimously recommended for approval by the Planning Commission.

BACKGROUND INFORMATION (SWOT):

Strengths: The proposed zoning map amendment is consistent with the Comprehensive Plan, and specifically, the future land use map for this area. The rezoning establishes the zoning regulations that will apply to the subdivision.

Weaknesses: None

Opportunities: With the extension of public services to this area, the transitional zoning can be eliminated, which will allow developers to move forward with development projects.

Threats: None

RECOMMENDATION: Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council amend the zoning map for the land located within the Savona preliminary plat. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Ordinance 08-102 amending the Lake Elmo Zoning Map for the area included in the Savona preliminary plat”

ATTACHMENTS:

1. Ordinance 08-102
2. Planning Commission Report – 2/10/14
3. Official Zoning Map – Existing
4. Official Zoning Map – Proposed
5. Comprehensive Plan – Planned Land Use Map

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

ORDINANCE NO. 08-102

**AN ORDINANCE TO AMEND THE LAKE ELMO CITY CODE
BY AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF LAKE ELMO**

The City Council of the City of Lake Elmo ordains that Lake Elmo City Code, Section 154.032 Zoning District Map, of the Municipal Code, shall be amended by adding Ordinance No. 08-102, as follows:

Section 1: Zoning Map Amendment. The following property is hereby rezoned from RT – Rural Development Transitional to LDR – Urban Low Density Residential and MDR – Urban Medium Density Residential as depicted on the attached “Exhibit “A” :

The Northeast Quarter of the Southeast Quarter in Section 34, Township 29, Range 27, Washington County, Minnesota.

AND

That part of the West Half of the Southeast Quarter in Section 34, Township 29, Range 21, Washington County, Minnesota, described as follows: Commencing at the West Quarter corner of said Section 34; thence South 00 degrees 00 minutes 40 seconds East, along the west line of said Section 34, a distance of 472.55 feet; thence North 89 degrees 57 minutes 32 seconds East, a distance of 7315.91 feet to the west line of the East Half of the Southwest Quarter of said Section 34; thence South 00 degrees 02 minutes 55 seconds West, along said west line a distance of 531.15 feet; thence South 76 degrees 35 minutes 34 seconds East, a distance of 156.54 feet; thence southeasterly along a tangential curve, concave to the southwest, having a central angle of 15 degrees 36 minutes 34 seconds, a radius of 1060.00 feet for an arc distance of 288. 78 feet; South 60 degrees 59 minutes 01 seconds East, tangent to said curve, a distance of 597. 77 feet; thence southeasterly along a tangential curve, concave to the northeast, having a central angle of 29 degrees 11 minutes 27 seconds, a radius of 760.00 feet for an arc distance of 387.20 feet to the east line of said East Half of the Southwest Quarter and the point of beginning; thence continuing northeasterly along last described curve, concave to the north, having a central angle of 39 degrees 09 minutes 56 seconds, a radius of 760.00 feet for an arc distance of 519.51 feet; thence North 50 degrees 39 minutes 36 seconds East, tangent to said curve, a distance of 410.97 feet; thence northeasterly along a tangential curve concave to the southeast, having a central angle of 20 degrees 49 minutes 17 seconds, a radius of 1060.00 feet for an arc distance of 385.20 feet; thence North 71 degrees 28 minutes 52 seconds East, tangent to said curve, a distance of 202.22 feet to the east line of said West Half of the Southeast Quarter; thence North 00 degrees 01 minutes 13 seconds East, along said east line a distance of 850.00 feet to the north line of said West Half of the Southeast Quarter; thence South 89 degrees 56 minutes 46 seconds West, along said north line a distance of 1321. 74 feet to the northwest corner of said West Half of the Southeast Quarter; thence South 00 degrees 06 minutes 31 seconds West, along the west line of said West Half of the Southeast Quarter, a distance of 1531.03 feet to the point of beginning. (PID 34.029.21.41.0004 and 34.029.21.42.0002)

Section 2: Zoning Map Amendment. The following property is hereby rezoned from RT – Rural Development Transitional to LDR – Urban Low Density Residential as depicted on the attached “Exhibit “A” :

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER IN SECTION 34, TOWNSHIP 29, RANGE 21, WASHINGTON COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:
COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 00 MINUTES 40 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 34, A

DISTANCE OF 472.55 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 32 SECONDS EAST, A DISTANCE OF 1315.91 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 02 MINUTES 55 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 531.15 FEET; THENCE SOUTH 76 DEGREES 35 MINUTES 34 SECONDS EAST, A DISTANCE OF 156.54 FEET; THENCE SOUTHEASTERLY ALONG A TANGENTIAL CURVE, CONCAVE TO THE SOUTHWEST, HAVING A CENTRAL ANGLE OF 15 DEGREES 36 MINUTES 34 SECONDS, A RADIUS OF 1060.00 FEET FOR AN ARC DISTANCE OF 288.78 FEET; SOUTH 60 DEGREES 59 MINUTES 01 SECONDS EAST, TANGENT TO SAID CURVE, A DISTANCE OF 597.77 FEET; THENCE SOUTHEASTERLY ALONG A TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST, HAVING A CENTRAL ANGLE OF 29 DEGREES 11 MINUTES 27 SECONDS, A RADIUS OF 760.00 FEET FOR AN ARC DISTANCE OF 387.20 FEET TO THE EAST LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER AND THE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG LAST DESCRIBED CURVE, CONCAVE TO THE NORTH, HAVING A CENTRAL ANGLE OF 39 DEGREES 09 MINUTES 56 SECONDS, A RADIUS OF 760.00 FEET FOR AN ARC DISTANCE OF 519.51 FEET; THENCE NORTH 50 DEGREES 39 MINUTES 36 SECONDS EAST, TANGENT TO SAID CURVE, A DISTANCE OF 410.97 FEET; THENCE NORTHEASTERLY ALONG A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST, HAVING A CENTRAL ANGLE OF 20 DEGREES 49 MINUTES 17 SECONDS, A RADIUS OF 1060.00 FEET FOR AN ARC DISTANCE OF 385.20 FEET; THENCE NORTH 71 DEGREES 28 MINUTES 52 SECONDS EAST, TANGENT TO SAID CURVE, A DISTANCE OF 202.22 FEET TO THE EAST LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 01 MINUTES 13 SECONDS EAST, ALONG SAID EAST LINE A DISTANCE OF 850.00 FEET TO THE NORTH LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 56 MINUTES 46 SECONDS WEST, ALONG SAID NORTH LINE A DISTANCE OF 1321.74 FEET TO THE NORTHWEST CORNER OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 06 MINUTES 31 SECONDS WEST, ALONG THE WEST LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 1531.03 FEET TO THE POINT OF BEGINNING.

Section 3: The City Council of the City of Lake Elmo also hereby ordains that the Zoning Administrator shall make the applicable changes to the official zoning map of the City of Lake Elmo.

Section 4: Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

This Ordinance No. 08-102 was adopted on this 18th day of February 2014, by a vote of ___ Ayes and ___ Nays.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk



PLANNING COMMISSION
DATE: 2/10/14
AGENDA ITEM: 4A – PUBLIC HEARING
CASE # 2014 - 06

ITEM: Zoning Map Amendment – Savona Subdivision
SUBMITTED BY: Kyle Klatt, Community Development Director
REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to hold a public hearing for a Zoning Map Amendment related to the Savona Subdivision being proposed by Lennar Homes. Now that the property owners have an approved Preliminary Plat application and utilities are now available to the site, the applicants are requesting to rezone the properties in a manner consistent with the City's Comprehensive Plan. Staff is recommending that the Planning Commission recommend approval of the Zoning Map Amendment request.

REQUEST DETAILS

In a typical subdivision process, applicants will usually request a rezoning action along with a Preliminary Plat application. However, as utilities were not available to the site of the proposed Savona Subdivision at the time of Preliminary Plat approval, the City postponed the rezoning action. At this time, Lennar Homes has now submitted an application for Final Plat for the first phase of their residential subdivision, which includes 44 single family homes. In preparation of this approval the city is also recommending that the Zoning Map be amended along with Final Plat approval.

As part of the Zoning Map Amendment request, there are 4 total parcels that are included in the proposed action. The parcels are located in Phase 1 of the I-94 Corridor Planning Area and are associated with the Savona Preliminary Plat. The Property Identification Numbers (PINs) for the subject parcels (from west to east) are the following: 34.029.21.31.0004, 34.029.21.31.0005, 34.029.21.42.0002, and 34.029.21.41.0004. The parcels are currently zoned Rural Development Transitional District (RT). As proposed in the rezoning action, the first three parcels are proposed to be rezoned Urban Low Density Residential – LDR. The fourth parcel, the former Mulligan Masters site, is proposed to be split between Urban Low Density Residential – LDR and Urban Medium Density Residential – MDR along the boundary of the future minor collector road 5th Street. The proposed zoning is consistent with the approved Preliminary Plat for the Savona Subdivision, as well as the City's Comprehensive Plan (Attachment #3). Given that utilities are now available to the site due to the near completion of the Section 34 Utility Project, and the landowner is now applying for Final Plat for the first phase of the subdivision, now is the appropriate time to move forward with the rezoning action.

RECOMMENDATION:

Staff is recommending that the Planning Commission recommend approval of the Zoning Map Amendment through the following motion:

“Move to recommend approval of the Zoning Map Amendment to rezone the parcels associated with the Savona residential subdivision from Rural Development Transitional District to Urban Low Density Residential and Urban Medium Density Residential.”

ATTACHMENTS:

- 1. Official Zoning Map – Existing
- 2. Official Zoning Map – Proposed
- 3. Comprehensive Plan – Planned Land Use Map

ORDER OF BUSINESS:

- IntroductionPlanning Staff
- Report by StaffPlanning Staff
- Questions from the Commission Chair & Commission Members
- Open the Public HearingChair
- Close the Public Hearing.....Chair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members

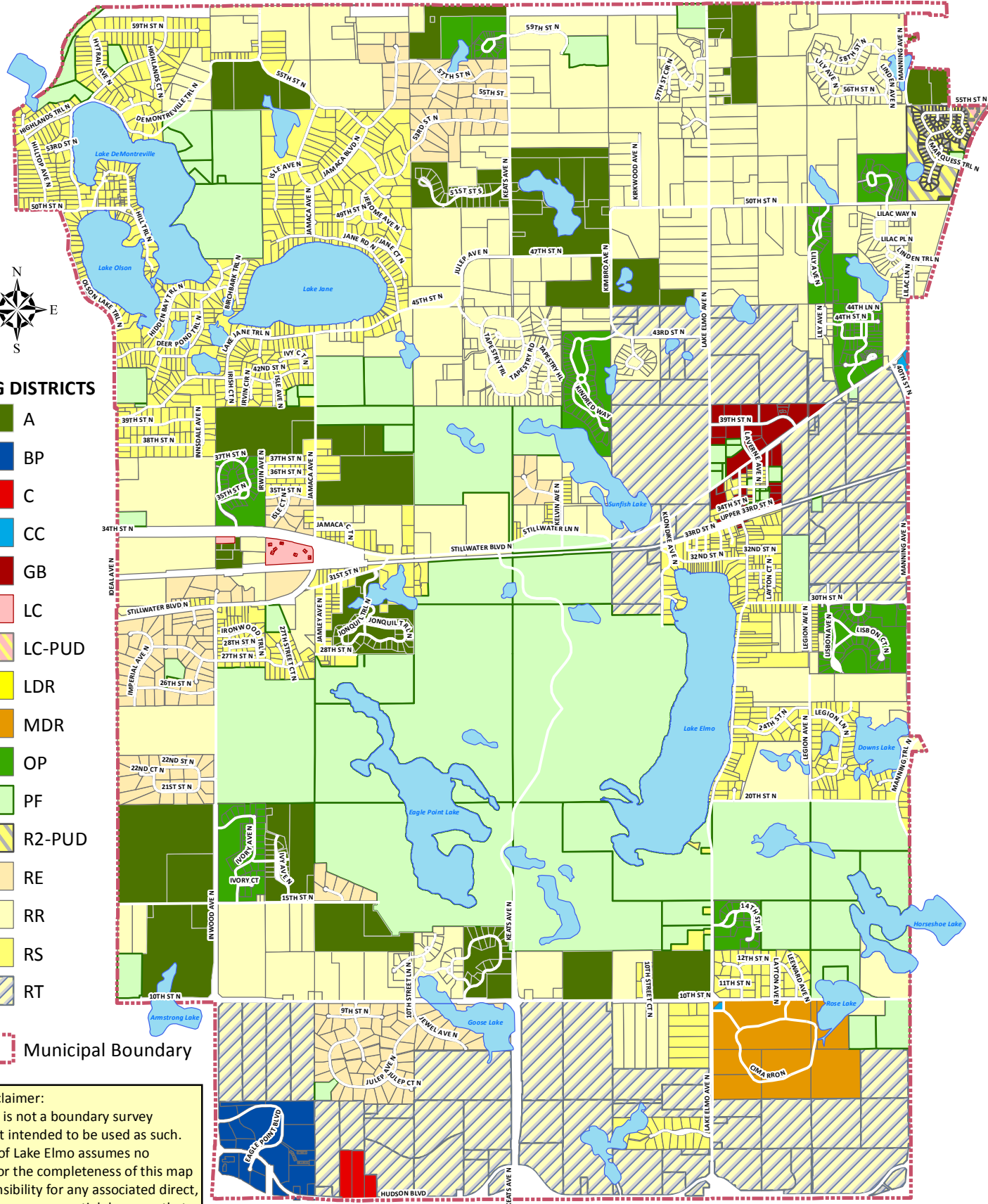


ZONING DISTRICTS

- A
- BP
- C
- CC
- GB
- LC
- LC-PUD
- LDR
- MDR
- OP
- PF
- R2-PUD
- RE
- RR
- RS
- RT

Municipal Boundary

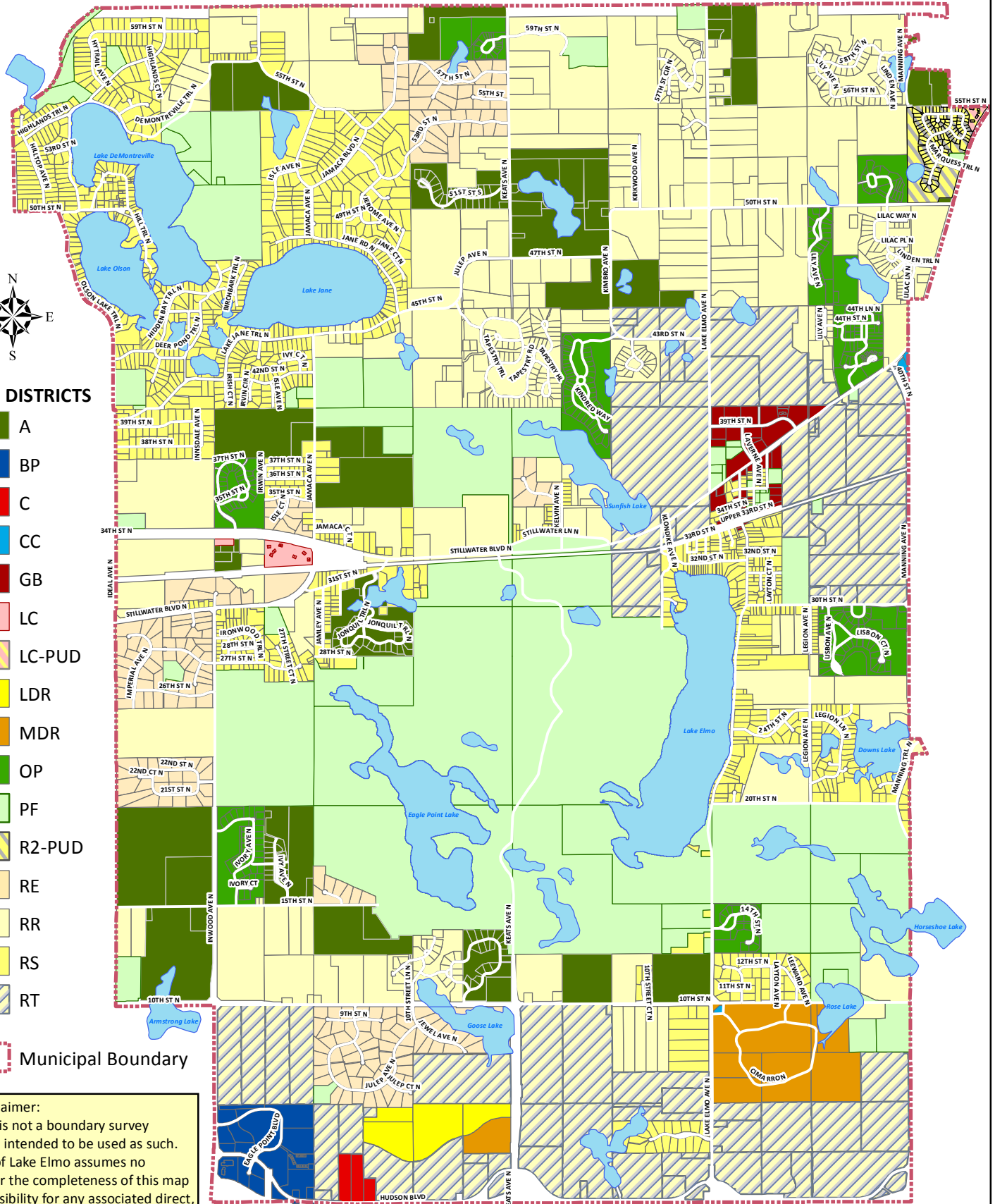
Data Disclaimer:
 This map is not a boundary survey and is not intended to be used as such. The City of Lake Elmo assumes no liability for the completeness of this map or responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse.



Sources: Washington County & Metro GIS
 2-5-2014

Official Zoning Map
Existing

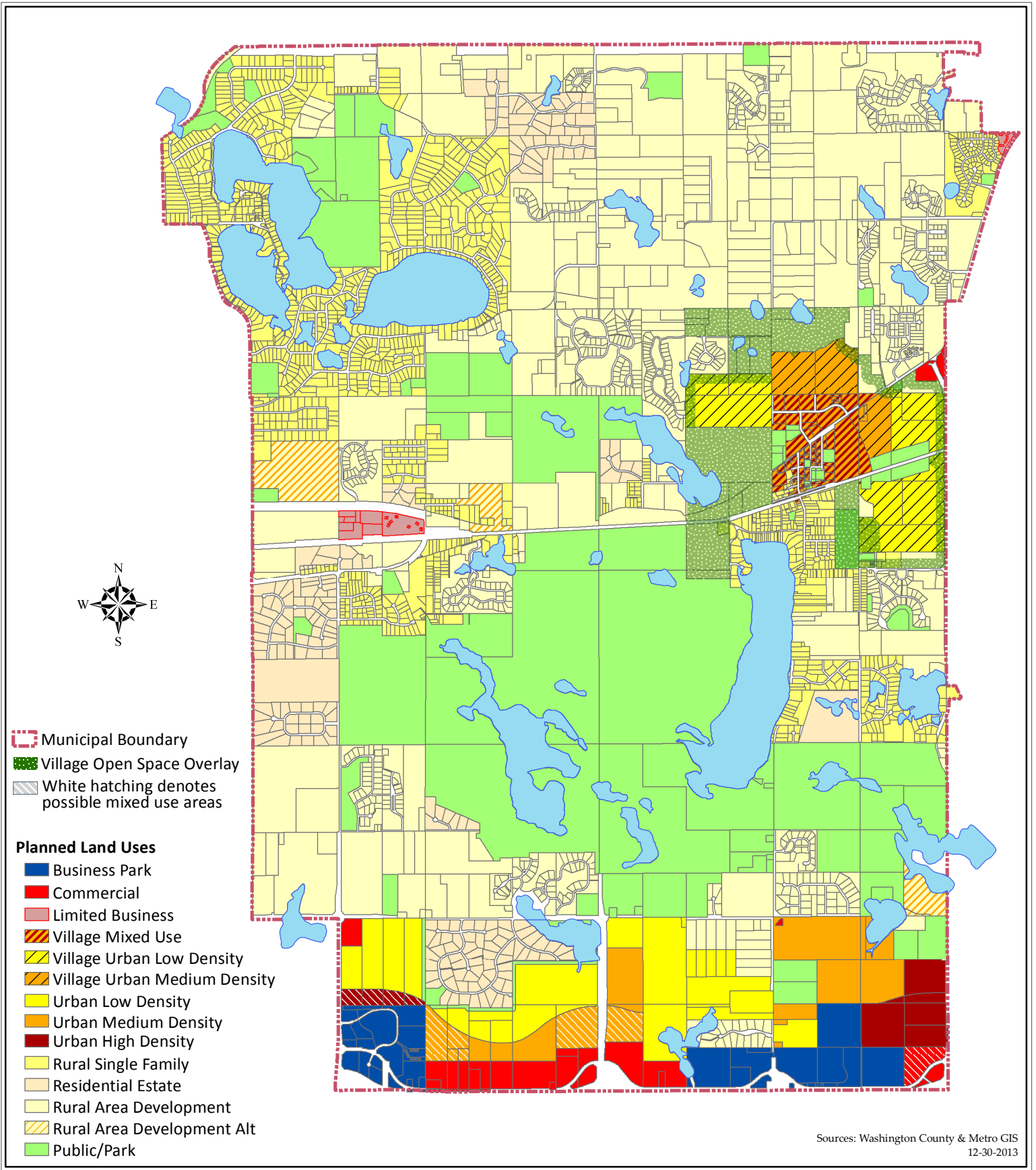




Official Zoning Map

Proposed





Planned Land Use

Lake Elmo Comprehensive Plan 2030

