



*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, November 21, 2017 7:00 P.M.**  
**City of Lake Elmo | 3800 Laverne Avenue North**

**Agenda**

**A. Call to Order/Pledge of Allegiance**

**B. Approval of Agenda**

**C. Approval of Minutes**

1. October 17, 2017; November 7, 2017

**D. Public Comments/Inquiries**

**E. Presentations**

**F. Consent Agenda**

2. Approve Payment of Disbursements
3. Accept October 2017 Assessor's Report
4. Accept October 2017 Building Department Report
5. Accept October 2017 Fire Department Report
6. Accept October 2017 Public Works Department Report
7. I-94 Lift Station and Sanitary Sewer Improvements – Approve Pay Request No. 1
8. Old Village Phase 3 Street & Utility Improvements – Approve Pay Request No. 5
9. 2017 Street Improvements – Approve Pay Request No. 5
10. Accept Resignation of Building Inspector
11. Approve Appointment to Finance Committee
12. Approve 2018 Liquor License Renewals
13. Approve Lake Elmo Sod Farm Interim Use Permit – *Resolution 2017-129*

**G. Regular Agenda**

14. 2018 LMCIT Renewal
15. Wyndham Village Subdivision Sketch Plan Review & Comprehensive Plan Amendment
16. Debt Management Policy
17. Fund Balance Policy

**H. Council Reports**

**I. Staff Reports and Announcements**

**J. Adjourn**

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
OCTOBER 17, 2017**

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

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

**PRESENT:** Mayor Mike Pearson and Councilmembers Justin Bloyer, Julie Fliflet, Jill Lundgren and Christine Nelson

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Planning Director Becker, and City Clerk Johnson.

**APPROVAL OF AGENDA**

Item 11, “Approve Increase to Lake Elmo Fire Relief Benefit” was moved to the beginning of the Regular Agenda. Item 7, “Approve Fall Newsletter” and Item 13, “Approve Conditional Use Permit for Increased Accessory Structures, 11459 60<sup>th</sup> St. N.” were moved to the Regular Agenda.

*Councilmember Bloyer, seconded by Councilmember Nelson, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 5 – 0.*

**ACCEPT MINUTES**

Minutes of the September 19, 2017 and October 3, 2017 Regular Meetings were accepted as presented. Councilmember Lundgren abstained from approval of the October 3, 2017 minutes due to her absence from the meeting.

**PUBLIC COMMENTS/INQUIRIES**

None

**PRESENTATIONS**

None

**CONSENT AGENDA**

2. Approve Payment of Disbursements
3. Accept September 2017 Assessor’s Report
4. Accept September 2017 Building Department Report
5. Accept September 2017 Fire Department Report
6. Accept September 2017 Public Works Department Report
7. ~~Approve Fall Newsletter~~ *(moved to the Regular Agenda)*

8. Authorize Issuance of Request for Proposals for Engineering Services
9. Authorize Issuance of Request for Proposals for Landscape Architecture Services
10. Accept Resignation of Public Works Operator Paulson and Authorize Advertising for the position
11. ~~Approve Increase to Lake Elmo Fire Relief Benefit (moved to the Regular Agenda)~~
12. Adopt Firefighter Declaration Resolution – *Resolution 2017-108*
13. ~~Approve Conditional Use Permit for Increased Accessory Structures, 11459 60<sup>th</sup> St N – *Resolution 2017-116 (moved to the Regular Agenda)*~~
14. Approve Lake Elmo Lake Improvement Matching Grant
15. Approve Private Development Security Reductions – Village Preserve 2<sup>nd</sup> Addition and Easton Village 2<sup>nd</sup> Addition
16. I-94 Lift Station and Sanitary Sewer Improvements – Approve Change Order No. 1
17. Old Village Ph3 Street & Utility Improvements – Approve Change Order 3
18. Old Village Ph3 Street & Utility Improvements – Approve Pay Request No. 4
19. 2017 Mill and Overlay – Approve Compensating Change Order No. 2
20. 2017 Mill and Overlay – Approve Pay Request No. 1 (FINAL)
21. Approve Lions Park Change Order No. 2

***Councilmember Nelson, seconded by Councilmember Bloyer, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 5 - 0.***

**ITEM 7: Approve Fall Newsletter**

Councilmember Fliflet commented on the winter parking, library and budget articles in the newsletter.

***Councilmember Fliflet, seconded by Councilmember Lundgren, moved THAT THE CITY BE FULLY TRANSPARENT WITH THE RESIDENTS OF LAKE ELMO REGARDING THEIR TAX LEVY INCREASE, AND REPORT THA THE 2018 PRELMINIARY TAX LEVY WITHOUT TAKING CREDIT FOR A LIBRARY TAX REDUCTION AND ETHICALLY STATE THE TRUE LEVY INCREASE IN TOTAL FOR RESIDENTS WHICH IS OVER 30%. Motion failed 2 – 3. (Pearson, Bloyer, Nelson – nay)***

***Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE THE ATTACHED DRAFT AND TO AUTHORIZE PRINTING AND DISTRIBUTION OF THE SOURCE NEWSLETTER FOR THE WINTER OF 2017-2018. Motion passed 3 – 2. (Fliflet, Lundgren – nay)***

**ITEM 13: Approve Conditional Use Permit for Increased Accessory Structures, 11459 60<sup>th</sup> St. N.**

City Planner Becker provided a brief overview of the request for a Conditional Use Permit to allow for the continued use of existing accessory structures on a parcel.

*Councilmember Fliflet moved TO ADOPT RESOLUTION 2017-116 APPROVING THE REQUEST FROM RICHARD, EILEEN AND CHAD BERGMANN FOR A CONDITIONAL USE PERMIT TO ALLOW AN EXCESS OF THE PERMITTED TWO ACCESSORY STRUCTURES AND ACCESSORY STRUCTURE SIZE REQUIREMENTS IN THE RURAL RESIDENTIAL ZONING DISTRICT FOR THE PROPERTY LOCATED AT 11459 60<sup>TH</sup> STREET NORTH SUBJECT TO RECOMMENDED CONDITION OF APPROVAL AND WAIVING THE CONDITIONAL USE PERMIT FEE. Motion died – no second.*

*Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2017-116 APPROVING THE REQUEST FROM RICHARD, EILEEN AND CHAD BERGMANN FOR A CONDITIONAL USE PERMIT TO ALLOW AN EXCESS OF THE PERMITTED TWO ACCESSORY STRUCTURES AND ACCESSORY STRUCTURE SIZE REQUIREMENTS IN THE RURAL RESIDENTIAL ZONING DISTRICT FOR THE PROPERTY LOCATED AT 11459 60<sup>TH</sup> STREET NORTH SUBJECT TO RECOMMENDED CONDITION OF APPROVAL. Motion passed 5 – 0.*

**ITEM 22: Zoning Text Amendment, Zoning Map Amendment and a Request for CUP to Allow Commercial Boarding Facility as an Accessory Use at 10880 Stillwater Blvd. N.**

Planning Director Becker reviewed the details of the proposal and points for Council consideration.

Richard Rothstein spoke on behalf of the applicant, requesting clarification on points in the staff report prepared for the Council Meeting.

*Councilmember Bloyer, seconded by Councilmember Nelson, moved TO SUSPEND THE RULES TO ALLOW DISCUSSION PRIOR TO A MOTION ON THIS MATTER. Motion withdrawn.*

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ADOPT ORDINANCE 08-188 APPROVING A ZONING TEXT AMENDMENT TO ALLOW COMMERCIAL BOARDING FACILITY AS A CONDITIONAL ACCESSORY USE WITHIN THE AGRICULTURAL ZONING DISTRICT. Motion failed 2 – 3. (Pearson, Bloyer, Nelson – nay)*

*Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-117 DENYING A ZONING MAP AMENDMENT TO REZONE FOR THE PROPERTY LOCATED AT 10880 STILLWATER BLVD N FROM RURAL DEVELOPMENT TRANSITIONAL TO AGRICULTURAL. Motion passed 3 – 2. (Fliflet, Lundgren - nay)*

*Councilmember Boyer, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-118 DENYING A ZONING TEXT AMENDMENT TO ALLOW COMMERCIAL BOARDING FACILITY AS A CONDITIONAL ACCESSORY USE WITHIN THE AGRICULTURAL ZONING DISTRICT. Motion passed 3 – 2. (Fliflet, Lundgren – nay)*

*Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-106 DENYING A CONDITIONAL USE PERMIT TO ALLOW A COMMERCIAL BOARDING FACILITY AS AN ACCESSORY USE FOR THE PROPERTY LOCATED AT 10880 STILLWATER BLVD. N. Motion passed 3 – 2. (Fliflet, Lundgren – nay)*

*Mayor Pearson, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-105 APPROVING A CONDITIONAL USE PERMIT TO ALLOW EXPANSION OF AN EXISTING FEEDLOT WITHIN THE SHORELAND FOR THE PROPERTY LOCATED AT 10880 STILLWATER BLVD. N. SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL. Motion passed 2 – 1 -2. (Bloyer – nay; Fliflet, Lundgren – nay)*

*Councilmember Bloyer, seconded by Mayor Pearson, moved TO RECONSIDER THE MOTION TO ADOPT RESOLUTION 2017-105. Motion passed 5 – 0.*

*Councilmember Bloyer, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-105 APPROVING A CONDITIONAL USE PERMIT TO ALLOW EXPANSION OF AN EXISTING FEEDLOT WITHIN THE SHORELAND FOR THE PROPERTY LOCATED AT 10880 STILLWATER BLVD. N. SUBJECT TO THE RECOMMENDED CONDITIONS OF APPROVAL. Motion passed 3 – 0 – 2. (Fliflet, Lundgren – abstain)*

**ITEM 23: 2017 Street Improvements - Assessment Hearing, Adoption of Final Assessment Roll**

City Engineer Griffin reviewed the project details, reported on the final project cost and funding sources.

*Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.*

No public comments were submitted.

*Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.*

*Councilmember Lundgren, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2017-109, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE 2017 STREET IMPROVEMENTS. Motion passed 5 – 0.*

**ITEM 24: Inwood Trunk Watermain Improvements – Assessment Hearing, Adoption of Final Assessment Roll**

City Engineer Griffin reviewed the improvement project and reported on final project costs and funding sources.

*Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.*

No public comments were submitted.

*Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.*

*Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2017-110, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE INWOOD TRUNK WATERMAIN IMPROVEMENTS. Motion passed 5 – 0.*

**ITEM 25: Old Village Phase 2 Improvements – Assessment Hearing, Adoption of Final Assessment Roll**

City Engineer Griffin reviewed the scope of the improvements and assessment methodology.

*Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO OPEN THE PUBLIC HEARING. Motion passed 5 – 0.*

Barbara Swanson, 11316 30<sup>th</sup> Street North, stated that residents were told in the past that if farmers developed land residents wouldn't have to pay for sewer improvements.

City Administrator Handt noted two other assessment objections were received by the City prior to the hearing.

*Councilmember Bloyer, seconded by Councilmember Lundgren, moved TO CLOSE THE PUBLIC HEARING. Motion passed 5 – 0.*

*Councilmember Bloyer, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-111, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE OLD VILLAGE PHASE 2 IMPROVEMENTS. Motion passed 5 – 0.*

**ITEM 26: Comprehensive Plan Amendment and Concept Plan for Continental Properties**

City Planner Becker provided information on the applicant and the proposal for a 300 unit multi-family development. Becker reviewed the comments held at the public hearing and the Planning Commission recommendations and also reported on comments from the Parks Commission and Engineering.

Gwen Wheeler, Continental Properties, reviewed the site location, building designs, lighting, neighborhood amenities, resident profile and community benefits to the City.

Tucker Pearce, 9811 7<sup>th</sup> Street North, urged the Council to deny the request and stick to the comprehensive plan.

Stefany Lorang, 9918 7<sup>th</sup> Street North, spoke in opposition of the comp plan amendment to increase density.

Mike Kobe, 9616 Junco Road North, spoke in opposition of the proposal, stating town homes would be a better fit for the area.

Kourtney Bryan, 618 Juniper Court North, asked the Council to follow the comp plan.

***Mayor Pearson, seconded by Councilmember Nelson, moved TO SUSPEND THE RULES REGARDING TIME ALLOWED FOR COUNCILMEMBERS TO SPEAK. Motion failed 3 – 1 – 1. (Fliflet - nay; Lundgren – abstain.)***

***Mayor Pearson, seconded by Councilmember Nelson, moved TO REFER THE CURRENT AGENDA ITEM BACK TO THE PLANNING COMMISSION. Motion passed 5 – 0.***

### **ITEM 27: Variance for 8130 Hill Trail**

Planning Director Becker presented the request for a variance to allow an addition to an existing home and relocation of the septic system. Becker reported on Planning Commission recommendations and conditions of approval.

***Mayor Pearson, seconded by Councilmember Bloyer, moved TO ADOPT RESOLUTION 2017-115 APPROVING THE REQUEST FROM PETER AND ADRIENNE PAVEK FOR A VARIANCE TO ALLOW EXPANSION OF A NON-CONFORMING STRUCTURE NOT MEETING THE REQUIRED SETBACK FROM THE ORDINARY HIGH WATER LEVEL OR MINIMUM LOT SIZE REQUIRED WITHIN THE RURAL SINGLE FAMILY ZONING DISTRICT, SUBJECT TO RECOMMENDED CONDITIONS OF APPROVAL. Motion passed 5 – 0.***

***Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-114 APPROVING THE REQUEST FROM PETER AND ADRIENNE PAVEK FOR A VARIANCE FROM THE REQUIRED SETBACKS FOR A SEPTIC SYSTEM FROM PROPERTY LINES, SHORELAND BLUFFLINE, ORDINARY HIGH WATER LEVEL AND NON-OCCUPIED STRUCTURE, SUBJECT TO RECOMMENDED CONDITIONS OF APPROVAL. Motion passed 5 – 0.***

### **COUNCIL REPORTS**

**Mayor Pearson:** No report.

**Councilmember Nelson:** No report.

**Councilmember Lundgren:** Provided a reminder of the Lake Elmo Jaycees Halloween party.

**Councilmember Bloyer:** No report.

**Councilmember Fliflet:** No report.

**STAFF REPORTS AND ANNOUNCEMENTS**

**Administrator Handt:** Ribbon cutting for the Olson Lake Trail project will be held on Saturday, October 21<sup>st</sup>.

**City Clerk Johnson:** No report.

**City Attorney Sonsalla:** Working on Hidden Meadows plat opinion.

**Planning Director Becker:** No report.

**City Engineer Griffin:** Working on review of three large plats.

Meeting adjourned at 10:30 pm.

**LAKE ELMO CITY COUNCIL**

ATTEST:

\_\_\_\_\_  
Mike Pearson, Mayor

\_\_\_\_\_  
Julie Johnson, City Clerk



**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
NOVEMBER 7, 2017**

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

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

**PRESENT:** Mayor Mike Pearson and Councilmembers Julie Fliflet, Jill Lundgren and Christine Nelson. **ABSENT:** Councilmember Bloyer.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Planning Director Becker, and City Clerk Johnson.

**APPROVAL OF AGENDA**

Item 2, “Approve Payment of Disbursements and Payroll”; Item 3, “Approve Job Description and Authorize Advertising for Finance Director”; Item 12, “Approve US Solar Subscription”; and Item 14, “Approve Massage Therapy License Renewals” were moved from Consent to the Regular Agenda.

*Councilmember Lundgren, seconded by Mayor Pearson, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 4 – 0.*

**ACCEPT MINUTES**

Minutes of the October 17, 2017 Regular Meeting were tabled to the next meeting.

**PUBLIC COMMENTS/INQUIRIES**

Virginia Pleban, 8245 59<sup>th</sup> Street North, encouraged residents to attend a holiday fundraiser at the historic courthouse in Stillwater November 17 – 19.

Bill & Ceil Wicker, 11079 35<sup>th</sup> Street North, stated concerns regarding storm water draining from the Shiltgen Farms to their property and asked the Council to consider correcting drainage in conjunction with development of the property.

Mary Ann Beers, 3235 Lake Elmo Avenue North, requested a public forum to discuss the Shiltgen Farm proposal to build an equestrian center.

Frank Squadrito, 3570 Laverne Avenue North, encouraged the City to look at solutions for the flooding at the Wicker’s property.

Susan Dunn, 11018 Upper 33<sup>rd</sup> Street North, encouraged reconsideration of storm water management in the downtown area and asked the Council to look at the Shiltgen proposal again.

**PRESENTATIONS**

None

**CONSENT AGENDA**

- ~~2. Approve Payment of Disbursements and Payroll~~
- ~~3. Approve Job Description and Authorize Advertising for Finance Director~~
4. Accept Third Quarter Financials
5. Accept Donation from Lake Elmo Baseball – *Resolution 2017-128*
6. Authorize Certification of Delinquent Storm Water Utility Bills – *Resolution 2017-119*
7. Approve Annual Public Service Recognition Event, January 2018
8. Approve Master Joint Powers Agreement Authorized Agency and Court Data Services Subscriber Amendment – *Resolution 2017-120*
9. Approve Appointment to Central Greenway Regional Trail Technical Advisory Committee
10. CSAH 15 & CSAH 14 Realignment – Approve Resolution of Support for the Local Road Improvement Program Grant Application – *Resolution 2017-121*
11. Washington County DRAFT 2018-2022 Capital Improvement Plan – City Review and Comments
- ~~12. Approve US Solar Subscription~~
13. Approve Zoning Map Amendment Rezoning City Parks – *Ordinance 08-190*
- ~~14. Approve Massage Therapy License Renewals – Renew/Recover Massage Therapy, Body & Soul~~
15. Authorize Advertising and Hiring of Warming House Attendants

***Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 4 - 0.***

**ITEM 2: Approve Payment of Disbursements and Payroll**

Brief discussion was held concerning an error in the cover memo. Administrator Handt clarified that the correct total for disbursements and payroll to be approved was \$899,522.62.

***Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPROVE DISBURSEMENTS IN THE AMOUNT OF \$899,522.62. Motion passed 4 – 0.***

**ITEM 3: Approve Job Description and Authorize Advertising for Finance Director**

Fiscal impacts were discussed briefly. Administrator Handt explained that the future use of the current consulting firm will be determined after the pool of applicants is reviewed.

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO REMOVE BUSINESS ADMINISTRATION AS APPROPRIATE EDUCATION ON THE JOB DESCRIPTION. Motion failed 2 – 2. (Pearson, Nelson – nay)*

*Mayor Pearson, seconded by Councilmember Nelson, moved TO APPROVE THE JOB DESCRIPTION AND AUTHORIZE ADVERTISING FOR THE FINANCE DIRECTOR POSITION. Motion failed 2 – 2. (Fliflet, Lundgren – nay)*

**ITEM 12: Approve US Solar Subscription**

Peter Schmidt, US Solar, explained the program and potential cost savings to the City. Discussion was held concerning rates and length of the contract.

*Councilmember Nelson, seconded by Mayor Pearson, moved TO APPROVE THE US SOLAR FLAT RATE SUNSCRIPTION AGREEMENT SUBJECT TO US SOLAR ASSIGNING IT TO A PROJECT FOR WHICH XCEL ENERGY HAS ALREADY GRANTED INTERCONNECTION APPROVAL. Motion passed 3 – 0 – 1. (Lundgren – abstain)*

**ITEM 14: Approve Massage Therapy License Renewals – Renew/Recover Massage Therapy, Body & Soul**

City Clerk Johnson reported that the applicants are both long standing businesses in Lake Elmo with no known violations or issues.

*Councilmember Lundgren, seconded by Councilmember Nelson, moved TO APPROVE MASSAGE THERAPY LICENSE RENEWALS FOR RENEW & RECOVER MASSAGE THERAPY AND BODY & SOUL MASSAGE THERAPY. Motion passed 4 – 0.*

**ITEM 16: Comprehensive Plan Amendment and Zoning Text Amendment to Amend Language Regarding Allowable Density for Open Space Preservation Developments**

City Planner Becker presented background information on the application for a comprehensive plan amendment and zoning text amendment

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO POSTPONE THE CURRENT ITEM TO THE DECEMBER 5, 2017 MEETING AS REQUESTED BY THE APPLICANT. Motion passed 3 – 1. (Nelson – nay)*

**ITEM 17: 2018 Street Improvements – Accept Feasibility Report, Call Public Improvement Hearing**

City Engineer Griffin presented findings of the 2018 Street Improvements feasibility report and reviewed the scope of the proposed improvements and estimated project costs.

*Councilmember Lundgren, seconded by Councilmember Fliflet, moved TO APPROVE RESOLUTION NO. 2017-125, RECEIVING THE FEASIBILITY REPORT AND CALLING A PUBLIC HEARING FOR THE 2018 STREET IMPROVEMENTS. Motion passed 4 – 0.*

**ITEM 18: 2018 Health Insurance Plan and Rates**

*Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-122. Motion failed 2- 1 – 1. (Fliflet - nay; Lundgren – abstain)*

Councilmembers Fliflet and Lundgren stated that staff members have expressed concern to them regarding the plan and increased cost to the employees.

*Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO BRING THE CURRENT ITEM TO A SPECIAL MEETING PRIOR TO THE NOVEMBER 14<sup>TH</sup> COUNCIL WORKSHOP. Motion failed 2 – 2. (Pearson, Nelson- nay)*

**ITEM 19: Easton Village 2<sup>nd</sup> and 3<sup>rd</sup> Addition Development Agreement Amendment Request**

City Planner Becker presented the request from Chase Development for amendments to the Easton Village 2<sup>nd</sup> and 3<sup>rd</sup> Addition Development Agreements to all issuance of building permits prior to the installation of sidewalks.

*Councilmember Nelson, seconded by Councilmember Lundgren, MOVED TO ADOPT RESOLUTION NO 2017-126 AND 2017-127 DENYING THE REQUESTS TO AMEND EASTON VILLAGE 2ND AND 3RD ADDITION DEVELOPMENT AGREEMENTS TO ALLOW BUILDING PERMITS TO BE RELEASED PRIOR TO INSTALLATION OF SIDEWALKS. Motion passed 3 – 1. (Pearson – nay)*

**COUNCIL REPORTS**

**Mayor Pearson:** Held conversations with residents and Washington County regarding joint projects. Attended the Library Board meeting and addressed the parking lot issue. Attended LMC insurance board meeting, Fields of St. Croix 2 HOA meeting and IEMC training. Thanked individuals for donating their labor for the improvements at Lions Park.

**Councilmember Nelson:** Attended 3 day IEMC training, fielded calls and emails from residents.

**Councilmember Lundgren:** Attended the Planning Commission workshop and Comp Plan Advisory Board meeting.

**Councilmember Fliflet:** Spoke with residents upset about the denial of the application for the Schiltgen property.

**STAFF REPORTS AND ANNOUNCEMENTS**

**Administrator Handt:** Held Q & A for landscaping RFQ, attended a meeting with the DNR regarding White Bear Lake litigation and noted it could impact irrigation rules in Lake Elmo. Noted that the space needs study findings will be presented at a meeting in December.

**City Clerk Johnson:** No report.

**City Attorney Sonsalla:** Reviewed the draft personnel policy and other agreements.

**Planning Director Becker:** No report.

**City Engineer Griffin:** Working with contractors regarding paving projects, working on a grant application and plan reviews.

Meeting adjourned at 9:03 pm.

**LAKE ELMO CITY COUNCIL**

ATTEST:

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Mike Pearson, Mayor

\_\_\_\_\_  
Julie Johnson, City Clerk



**STAFF REPORT**

DATE: November 21, 2017  
CONSENT

**TO:** Mayor and City Council  
**FROM:** Amy La Belle, Accountant  
**AGENDA ITEM:** Approve Disbursements in the amount of \$1,566,359.91  
**REVIEWED BY:** Kristina Handt, City Administrator

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**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.

**FISCAL IMPACT:** \$1,566,359.91

<b>Claim #</b>	<b>Amount</b>	<b>Description</b>
ACH	\$ 71,039.70	Payroll
46670-46742	\$ 1,495,320.21	Accounts Payable
	\$ 0.00	Accounts Payable (Library Checks)
<b>TOTAL</b>	<b>\$1,566,359.91</b>	

**RECOMMENDATION:**

If removed from the consent agenda, the recommended motion is as follows:

***“Motion to approve the aforementioned disbursements in the amount of \$1,566,359.91.”***

**ATTACHMENTS:**

1. Accounts Payable – check register

OK- BAS - 11/16/17

# Accounts Payable To Be Paid Proof List

User: Amy  
Printed: 11/16/2017 - 9:07 AM  
Batch: 010-11-2017

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
3D Specialties										
3DSPECIA										
456727	10/20/2017	457.30	0.00	11/21/2017	Band-it Straps		-			No 0000
101-430-3120-42210	Equipment Parts									
	456727 Total:	457.30								
	3DSPECIA Total:	457.30								
		<hr/>								
	3D Specialties Total:	457.30								
		<hr/>								
Allied Generators										
ALLIEDGE										
15754	11/09/2017	617.10	0.00	11/21/2017	Repair Rockpoint Warning Siren		-			No 0000
101-420-2500-43150	Contract Services									
	15754 Total:	617.10								
	ALLIEDGE Total:	617.10								
		<hr/>								
	Allied Generators Total:	617.10								
		<hr/>								
Biff's Inc.										
BIFFS										
W658908-W658917	11/08/2017	679.46	0.00	11/21/2017	Portable Restrooms		-			No 0000
101-450-5200-44120	Rentals - Buildings									
	W658908-W658917 Total:	679.46								
	BIFFS Total:	679.46								
		<hr/>								
	Biff's Inc. Total:	679.46								
		<hr/>								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Bloomquist Lee										
BLOOMQUI										
20171114	11/14/2017	274.24	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
409-480-8000-43150	Contract Services									
20171114	11/14/2017	113.69	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
601-494-9400-43150	Contract Services									
20171114	11/14/2017	147.07	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
602-495-9450-43150	Contract Services									
	20171114 Total:	535.00								
	BLOOMQUI Total:	535.00								
		<hr/>								
	Bloomquist Lee Total:	535.00								
		<hr/>								
Braun Intertec Corporation										
BRAUN										
B107868	11/12/2017	1,298.93	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
409-480-8000-43150	Contract Services									
B107868	11/12/2017	538.48	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
601-494-9400-43150	Contract Services									
B107868	11/12/2017	696.59	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
602-495-9450-43150	Contract Services									
	B107868 Total:	2,534.00								
B108338	11/16/2017	1,529.00	0.00	11/21/2017	2017 Street Project 2016.135		-		No	0000
409-480-8000-43150	Contract Services									
	B108338 Total:	1,529.00								
B110906	11/09/2017	1,669.75	0.00	11/21/2017	2017 Street Project 2016.135		-		No	0000
409-480-8000-43150	Contract Services									
	B110906 Total:	1,669.75								
B110908	11/09/2017	1,350.00	0.00	11/21/2017	I-94 Lift Station Project 2016.134		-		No	0000
602-495-9450-43150	Contract Services									
	B110908 Total:	1,350.00								
B110910	11/09/2017	2,668.72	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
409-480-8000-43150	Contract Services									
B110910	11/09/2017	1,106.33	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
601-494-9400-43150	Contract Services									
B110910	11/09/2017	1,431.20	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
602-495-9450-43150	Contract Services									
	B110910 Total:	5,206.25								
	BRAUN Total:	12,289.00								
		<hr/>								
	Braun Intertec Corporation Total:	12,289.00								
		<hr/>								



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Central Pension Fund										
CENTRALP										
20171109	11/09/2017	115.50	0.00	11/21/2017	CPF Contributions - 110917		-			No 0000
101-000-0000-21714	Union Pension									
	20171109 Total:	115.50								
	CENTRALP Total:	115.50								
Central Pension Fund Total:		115.50								
Century Power Equipment										
CENTPOW										
728536	10/26/2017	6.01	0.00	11/21/2017	Gas cap for mower		-			No 0000
101-450-5200-44040	Repairs/Maint Eqpt									
	728536 Total:	6.01								
729619	10/26/2017	119.90	0.00	11/21/2017	Mower battery		-			No 0000
101-450-5200-44040	Repairs/Maint Eqpt									
	729619 Total:	119.90								
	CENTPOW Total:	125.91								
Century Power Equipment Total:		125.91								
Cintas Corporation #754										
CINTAS										
754789766	11/01/2017	103.04	0.00	11/21/2017	Uniforms		-			No 0000
101-430-3100-44170	Uniforms									
	754789766 Total:	103.04								
754792450	11/08/2017	103.04	0.00	11/21/2017	Uniforms		-			No 0000
101-430-3100-44170	Uniforms									
	754792450 Total:	103.04								
	CINTAS Total:	206.08								
Cintas Corporation #754 Total:		206.08								
City of Bloomington										
CTYBLOOM										
1700187	11/02/2017	42.00	0.00	11/21/2017	Lab Bacteria Testing - Oct		-			No 0000
601-494-9400-42270	Utility System Maintenance									
	1700187 Total:	42.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CTYBLOOM Total:		42.00								
City of Bloomington Total:		42.00								
City of Oakdale										
CTYOAKDA										
10000460-01	10/31/2017	17,764.06	0.00	11/21/2017	Water meter - South Pit 100217-110117		-		No	0000
601-494-9400-43820	Water Utility									
10000460-01 Total:		17,764.06								
201711075883	11/07/2017	108.22	0.00	11/21/2017	E1 - Bumper light repair		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
201711075883 Total:		108.22								
201711095896	11/09/2017	29.00	0.00	11/21/2017	#5896 - CV1 oil change & rotation		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
201711095896 Total:		29.00								
201711095897	11/09/2017	29.00	0.00	11/21/2017	#5897 - CV1 oil change & rotation		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
201711095897 Total:		29.00								
CTYOAKDA Total:		17,930.28								
City of Oakdale Total:		17,930.28								
City of Roseville										
CTYROSEV										
223709	10/26/2017	5,228.33	0.00	11/21/2017	Monthly IT Svs - October 2017		-		No	0000
101-410-1450-43180	Information Technology/Web									
223709 Total:		5,228.33								
223740	10/26/2017	112.47	0.00	11/21/2017	Monthly Phone Oct 2017		-		No	0000
101-410-1320-43210	Telephone									
223740	10/26/2017	23.66	0.00	11/21/2017	Monthly Phone Oct 2017		-		No	0000
101-420-2400-43210	Telephone									
223740	10/26/2017	234.87	0.00	11/21/2017	Monthly Phone Oct 2017		-		No	0000
101-430-3100-43210	Telephone									
223740	10/26/2017	17.77	0.00	11/21/2017	Monthly Phone Oct 2017		-		No	0000
101-410-1930-43210	Telephone									
223740	10/26/2017	35.55	0.00	11/21/2017	Monthly Phone Oct 2017		-		No	0000
101-410-1520-43210	Telephone									
223740	10/26/2017	49.30	0.00	11/21/2017	Monthly Phone Oct 2017		-		No	0000
101-410-1910-43210	Telephone									
223740 Total:		473.62								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
	CTYROSEV Total:	5,701.95								
	City of Roseville Total:	5,701.95								
Clifton, Larson, Allen LLP										
CLIFTON										
1655474	10/31/2017	12,432.00	0.00	11/21/2017	092717-102517 CLA Services		-		No	0000
101-410-1520-43150	Contract Services									
1655474	10/31/2017	1,554.00	0.00	11/21/2017	092717-102517 CLA Services		-		No	0000
601-494-9400-43150	Contract Services									
1655474	10/31/2017	777.00	0.00	11/21/2017	092717-102517 CLA Services		-		No	0000
602-495-9450-43150	Contract Services									
1655474	10/31/2017	777.00	0.00	11/21/2017	092717-102517 CLA Services		-		No	0000
603-496-9500-43150	Contract Services									
	1655474 Total:	15,540.00								
	CLIFTON Total:	15,540.00								
	Clifton, Larson, Allen LLP Total:	15,540.00								
Comcast										
COMCAST										
20171027	10/27/2017	7.91	0.00	11/21/2017	Monthly Svs 110917-120817		-		No	0000
101-420-2220-44300	Miscellaneous									
	20171027 Total:	7.91								
	COMCAST Total:	7.91								
	Comcast Total:	7.91								
Douglas-Kerr Underground, LLC										
DOUGLASK										
Pay Req 5	11/01/2017	171,818.17	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
409-480-8000-43150	Contract Services									
Pay Req 5	11/01/2017	71,227.78	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
601-494-9400-43150	Contract Services									
Pay Req 5	11/01/2017	92,143.61	0.00	11/21/2017	OV Phase 3 Project 2016.133		-		No	0000
602-495-9450-43150	Contract Services									
	Pay Req 5 Total:	335,189.56								
	DOUGLASK Total:	335,189.56								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Douglas-Kerr Underground, LLC Total:		335,189.56								
E.G. Rud & Sons, Inc.										
E.G.RUD										
36146	11/06/2017	2,179.00	0.00	11/21/2017	Lions Park Staking (multiple trips)		-		No	0000
404-480-8000-43050	Other Park Ded Prof Services									
	36146 Total:	2,179.00								
	E.G.RUD Total:	2,179.00								
E.G. Rud & Sons, Inc. Total:		2,179.00								
Emergency Automotive Tech, Inc										
EMERGAUT										
WC103017-25	10/30/2017	476.72	0.00	11/21/2017	strobe lights		-		No	0000
101-430-3100-42210	Equipment Parts									
	WC103017-25 Total:	476.72								
	EMERGAUT Total:	476.72								
Emergency Automotive Tech, Inc Total:		476.72								
Emergency Response Solutions										
Erespsol										
9741	11/06/2017	1,184.40	0.00	11/21/2017	2 - 50' lengths, 5" hoses		-		No	0000
101-420-2220-42400	Small Tools & Equipment									
	9741 Total:	1,184.40								
	Erespsol Total:	1,184.40								
Emergency Response Solutions Total:		1,184.40								
Fastenal Company										
FASTENAL										
MNOAK21145	11/01/2017	6.12	0.00	11/21/2017	Misc. Hardware		-		No	0000
101-430-3100-42210	Equipment Parts									
	MNOAK21145 Total:	6.12								
MNOAK21170	11/03/2017	29.35	0.00	11/21/2017	Misc. Hardware		-		No	0000
101-430-3100-42210	Equipment Parts									
	MNOAK21170 Total:	29.35								
	FASTENAL Total:	35.47								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Fastenal Company Total:		35.47								
Fauks Carissa										
FAUKSCAR										
20171115	11/15/2017	27.64	0.00	11/21/2017	Refund overpayment - water		-		No	0000
601-000-0000-36205	Refunds and Reimbursements									
	20171115 Total:	27.64								
	FAUKSCAR Total:	27.64								
Fauks Carissa Total:		27.64								
Fuller Richard										
FULLERRI										
20171115	11/15/2017	55.56	0.00	11/21/2017	Refund overpayment - water		-		No	0000
601-000-0000-36205	Refunds and Reimbursements									
	20171115 Total:	55.56								
	FULLERRI Total:	55.56								
Fuller Richard Total:		55.56								
Goodpoint Technology, Inc										
GOODTECH										
3709	05/31/2017	1,750.00	0.00	11/21/2017	Digital Image Collections & Hotlink		-		No	0000
101-430-3120-43150	Contract Services									
	3709 Total:	1,750.00								
	GOODTECH Total:	1,750.00								
Goodpoint Technology, Inc Total:		1,750.00								
Gopher State One Call										
ONECALL										
7100495	10/31/2017	284.85	0.00	11/21/2017	Monthly locate tickets		-		No	0000
601-494-9400-43150	Contract Services									
7100495	10/31/2017	284.85	0.00	11/21/2017	Monthly locate tickets		-		No	0000
602-495-9450-43150	Contract Services									
	7100495 Total:	569.70								
	ONECALL Total:	569.70								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Gopher State One Call Total:		569.70								
H & L Mesabi Corp										
H & L										
99230	10/30/2017	1,572.51	0.00	11/21/2017	Plow cutting edges		-		No	0000
101-430-3125-44040	Repairs/Maint Eqpt									
	99230 Total:	1,572.51								
99295	11/07/2017	583.00	0.00	11/21/2017	Plow cutting edges		-		No	0000
101-430-3125-44040	Repairs/Maint Eqpt									
	99295 Total:	583.00								
	H & L Total:	2,155.51								
H & L Mesabi Corp Total:		2,155.51								
Hardrives, Inc.										
HARDDRIV										
Pay Req 4	11/01/2017	240,289.56	0.00	11/21/2017	2017 Street Project 2016.135		-		No	0000
409-480-8000-43150	Contract Services									
	Pay Req 4 Total:	240,289.56								
	HARDDRIV Total:	240,289.56								
Hardrives, Inc. Total:		240,289.56								
Hawkins, Inc.										
HAWKINS										
4174163	10/27/2017	25.00	0.00	11/21/2017	Water Treatment Chemicals		-		No	0000
601-494-9400-42160	Chemicals									
	4174163 Total:	25.00								
	HAWKINS Total:	25.00								
Hawkins, Inc. Total:		25.00								
Howard Tim										
HOWARD										
20171115	11/15/2017	2,485.00	0.00	11/21/2017	Refund SAC-Metro		-		No	0000
602-000-0000-20802	SAC due Met Council									
	20171115 Total:	2,485.00								
	HOWARD Total:	2,485.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Howard Tim Total:		2,485.00								
Innovative Office Solutions										
INNOVAT										
IN1795492	10/20/2017	23.29	0.00	11/21/2017	Office Supplies		-		No	0000
101-410-1320-42000	Office Supplies									
IN1795492	10/20/2017	3.95	0.00	11/21/2017	Office Supplies		-		No	0000
101-420-2400-42000	Office Supplies									
IN1795492	10/20/2017	41.68	0.00	11/21/2017	Office Supplies		-		No	0000
601-494-9400-42000	Office Supplies									
IN1795492	10/20/2017	57.70	0.00	11/21/2017	Office Supplies		-		No	0000
101-410-1520-42000	Office Supplies									
IN1795492 Total:		126.62								
IN1812763	11/03/2017	125.88	0.00	11/21/2017	Office Supplies		-		No	0000
101-410-1320-42000	Office Supplies									
IN1812763	11/03/2017	112.76	0.00	11/21/2017	Office Supplies		-		No	0000
101-420-2220-42000	Office Supplies									
IN1812763	11/03/2017	5.79	0.00	11/21/2017	Office Supplies		-		No	0000
101-410-1520-42000	Office Supplies									
IN1812763 Total:		244.43								
INNOVAT Total:		371.05								
Innovative Office Solutions Total:		371.05								
Jani-King of Minnesota, Inc										
JANIKING										
min11170352	11/01/2017	334.86	0.00	11/21/2017	Cleaning Services - City Hall Nov 2017		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
min11170352 Total:		334.86								
MIN11170353	11/01/2017	204.00	0.00	11/21/2017	Cleaning Services - Public Works		-		No	0000
101-430-3100-43150	Contract Services									
MIN11170353 Total:		204.00								
JANIKING Total:		538.86								
Jani-King of Minnesota, Inc Total:		538.86								
Kamco, Corp										
KAMCO										
3846	11/02/2017	900.00	0.00	11/21/2017	Tree removal - Klondike Ave N		-		No	0000
101-430-3100-43150	Contract Services									
3846 Total:		900.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	KAMCO Total:	900.00								
	Kamco, Corp Total:	900.00								
Kath Fuel Oil Service Co										
kathfuel										
607328	11/01/2017	1,077.26	0.00	11/21/2017	Unleaded fuel		-			No 0000
101-430-3100-42120	Fuel, Oil and Fluids									
	607328 Total:	1,077.26								
	kathfuel Total:	1,077.26								
	Kath Fuel Oil Service Co Total:	1,077.26								
Kromschroeder Jerry										
KROMSCHR										
20171115	11/15/2017	2,485.00	0.00	11/21/2017	Refund SAC-Metro		-			No 0000
602-000-0000-20802	SAC due Met Council									
	20171115 Total:	2,485.00								
	KROMSCHR Total:	2,485.00								
	Kromschroeder Jerry Total:	2,485.00								
Kwik Trip Inc										
KWIK										
20171102	11/02/2017	34.43	0.00	11/21/2017	Fuel		-			No 0000
101-420-2220-42120	Fuel, Oil and Fluids									
	20171102 Total:	34.43								
	KWIK Total:	34.43								
	Kwik Trip Inc Total:	34.43								
Lake Elmo Associates, LLP										
LEASSOC										
20170701	12/01/2017	2,666.00	0.00	11/21/2017	3880 Brookfield Rent - December 2017		-			No 0000
101-410-1940-44120	Rentals - Building									
	20170701 Total:	2,666.00								
	LEASSOC Total:	2,666.00								



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Lake Elmo Associates, LLP Total:		2,666.00								
Lake Elmo Oil, Inc.										
LEOIL										
20171031	10/31/2017	163.10	0.00	11/21/2017	Fuel		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
	20171031 Total:	163.10								
	LEOIL Total:	163.10								
Lake Elmo Oil, Inc. Total:		163.10								
Larson Diesel Service, Corp										
LARSON										
171016009	10/16/2017	511.86	0.00	11/21/2017	DOT & repairs to 86-1		-		No	0000
101-430-3120-44040	Repairs/Maint Eqpt									
	171016009 Total:	511.86								
	LARSON Total:	511.86								
Larson Diesel Service, Corp Total:		511.86								
Loffler Companies, Inc.										
LOFF										
2656595	11/01/2017	263.58	0.00	11/21/2017	Copies Konica (C253 North) 100117-110917		-		No	0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
	2656595 Total:	263.58								
	LOFF Total:	263.58								
Loffler Companies, Inc. Total:		263.58								
Menards - Oakdale										
MENARDSO										
42474	11/01/2017	18.60	0.00	11/21/2017	Whindshield washer fluid		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
	42474 Total:	18.60								
42842	11/06/2017	42.95	0.00	11/21/2017	PPE - gloves		-		No	0000
101-430-3100-44375	Personal Protection Equipment									
42842	11/06/2017	38.99	0.00	11/21/2017	Heater - EB Office		-		No	0000
101-410-1940-44300	Miscellaneous									
	42842 Total:	81.94								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
42867	11/06/2017	6.99	0.00	11/21/2017	Linseed Oil		-			No 0000
101-430-3100-42150	Shop Materials									
	42867 Total:	6.99								
43094	11/09/2017	27.45	0.00	11/21/2017	Menards - drinking water Brookfield		-			No 0000
101-410-1320-42000	Office Supplies									
	43094 Total:	27.45								
	MENARDSO Total:	134.98								
	Menards - Oakdale Total:	134.98								
Mercury Electric										
MERCURY										
8922	10/24/2017	1,804.97	0.00	11/21/2017	Repair/replace four outside yard lights		-			No 0000
101-430-3100-44010	Repairs/Maint Bldg									
	8922 Total:	1,804.97								
	MERCURY Total:	1,804.97								
	Mercury Electric Total:	1,804.97								
Metropolitan Council										
METCOU										
1073796	11/06/2017	3,724.99	0.00	11/21/2017	Waste Water Service Dec 2017		-			No 0000
602-495-9450-43820	Sewer Utility - Met Council									
	1073796 Total:	3,724.99								
20171031	10/31/2017	84,490.00	0.00	11/21/2017	SAC Charges - Oct 2017		-			No 0000
602-000-0000-20802	SAC due Met Council									
20171031	10/31/2017	-844.90	0.00	11/21/2017	SAC Charges - Oct 2017 prompt pay disc		-			No 0000
602-000-0000-37220	SAC Early Pay discount/revenue									
20171031	10/31/2017	-2,460.15	0.00	11/21/2017	SAC Charges - June 2016 correction		-			No 0000
602-000-0000-20802	SAC due Met Council									
	20171031 Total:	81,184.95								
	METCOU Total:	84,909.94								
	Metropolitan Council Total:	84,909.94								
Miller Excavating, Inc.										
MILLEREX										
23754	09/30/2017	50.00	0.00	11/21/2017	Rubble dumping		-			No 0000
101-430-3100-43840	Refuse									
	23754 Total:	50.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MILLEREX Total:		50.00								
Miller Excavating, Inc. Total:		50.00								
MN Dept of Commerce										
MNCOMMER										
20171031	11/14/2017	321.92	0.00	11/21/2017	UP 8951PRA spasmt refund		-		No	0000
319-000-0000-36100	Special Assessments									
20171031	11/14/2017	269.50	0.00	11/21/2017	UP FOSTERCA spasmt refund		-		No	0000
409-000-0000-36100	Special Assessments									
20171031	11/14/2017	205.07	0.00	11/21/2017	UP ZANONGRE utility refund		-		No	0000
601-000-0000-37100	Water Sales									
20171031	11/14/2017	55.00	0.00	11/21/2017	UP VANGADOR cable operator		-		No	0000
101-410-1450-43620	Cable Operations									
20171031	11/14/2017	3,000.00	0.00	11/21/2017	UP FAIRMARK escrow refund		-		No	0000
803-000-0000-22900	Deposits Payable									
20171031	11/14/2017	200.00	0.00	11/21/2017	UP SAWYERCH storyteller fee		-		No	0000
206-450-5300-43150	Contract Services									
20171031	11/14/2017	55.00	0.00	11/21/2017	UP DEPREY conference fee		-		No	0000
206-450-5300-44370	Conferences & Training									
	20171031 Total:	4,106.49								
	MNCOMMER Total:	4,106.49								
MN Dept of Commerce Total:		4,106.49								
Northland Securities, Inc.										
NORTHSEC										
5086	11/09/2017	386.67	0.00	11/21/2017	2017 Utility Funds pro forma		-		No	0000
601-494-9400-43150	Contract Services									
5086	11/09/2017	386.67	0.00	11/21/2017	2017 Utility Funds pro forma		-		No	0000
602-495-9450-43150	Contract Services									
5086	11/09/2017	386.66	0.00	11/21/2017	2017 Utility Funds pro forma		-		No	0000
603-496-9500-43150	Contract Services									
	5086 Total:	1,160.00								
	NORTHSEC Total:	1,160.00								
Northland Securities, Inc. Total:		1,160.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Northwestern Power Equipment										
NRWESTPW										
170420DM	11/02/2017	564.00	0.00	11/21/2017	Savona PRV repair parts		-		No	0000
601-494-9400-44030	Repairs/Maint Imp Not Bldgs									
	170420DM Total:	564.00								
	NRWESTPW Total:	564.00								
Northwestern Power Equipment Total:		564.00								
Quast Dale										
QUASTDAL										
20171115	11/15/2017	2,485.00	0.00	11/21/2017	Refund SAC-Metro		-		No	0000
602-000-0000-20802	SAC due Met Council									
	20171115 Total:	2,485.00								
	QUASTDAL Total:	2,485.00								
Quast Dale Total:		2,485.00								
RABOUIN, INC										
RABOUIN										
20171101	11/01/2017	2,500.00	0.00	11/21/2017	November 2017 Assessor Fee		-		No	0000
101-410-1320-43100	Assessing Services									
	20171101 Total:	2,500.00								
	RABOUIN Total:	2,500.00								
RABOUIN, INC Total:		2,500.00								
Ritchie Tom										
RITCHIET										
20171115	11/15/2017	55.00	0.00	11/21/2017	Cable Oper 111317 Planning Comm		-		No	0000
101-410-1450-43620	Cable Operations									
	20171115 Total:	55.00								
	RITCHIET Total:	55.00								
Ritchie Tom Total:		55.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
RL Larson Excavating, Inc.										
RLLARSON										
Pay Req 1	11/01/2017	696,280.74	0.00	11/21/2017	I-94 Lift Station Project 2016.136		-			No 0000
602-495-9450-43150	Contract Services									
	Pay Req 1 Total:	696,280.74								
	RLLARSON Total:	696,280.74								
RL Larson Excavating, Inc. Total:		696,280.74								
Sam's Club										
SAMSCLUB										
201711107	11/07/2017	50.54	0.00	11/21/2017	Rehab supplies		-			No 0000
101-420-2220-44300	Miscellaneous									
201711107	11/07/2017	55.79	0.00	11/21/2017	Ice melt on trucks		-			No 0000
101-420-2220-42400	Small Tools & Equipment									
	201711107 Total:	106.33								
	SAMSCLUB Total:	106.33								
Sam's Club Total:		106.33								
Sambatek, Inc										
SAMBATEK										
10858	11/14/2017	242.09	0.00	11/21/2017	Landucci/Legends Zoning & Comp Plan		-			No 0000
803-000-0000-22910	Developer Payments									
10858	11/14/2017	33.75	0.00	11/21/2017	General Planning		-			No 0000
101-410-1910-43030	Engineering Services									
	10858 Total:	275.84								
	SAMBATEK Total:	275.84								
Sambatek, Inc Total:		275.84								
Short Elliott Hendrickson, Inc										
SEH										
340742	11/02/2017	13,075.04	0.00	11/21/2017	OV Phase 3 Project 2016.133		-			No 0000
409-480-8000-43150	Contract Services									
340742	11/02/2017	5,420.30	0.00	11/21/2017	OV Phase 3 Project 2016.133		-			No 0000
601-494-9400-43150	Contract Services									
340742	11/02/2017	7,011.96	0.00	11/21/2017	OV Phase 3 Project 2016.133		-			No 0000
602-495-9450-43150	Contract Services									
	340742 Total:	25,507.30								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
340745	11/02/2017	4,913.42	0.00	11/21/2017	OV Phase 4 Project 2017.157		-			No 0000
409-480-8000-43150	Contract Services									
	340745 Total:	4,913.42								
	SEH Total:	30,420.72								
Short Elliott Hendrickson, Inc Total:		30,420.72								
Sprint										
SPRINT										
761950227-175	10/18/2017	16.86	0.00	11/21/2017	Cell Phone Service - Planning Dept		-			No 0000
101-410-1910-43210	Telephone									
761950227-175	10/18/2017	68.88	0.00	11/21/2017	Cell Phone Service - Administration		-			No 0000
101-410-1940-43210	Telephone									
761950227-175	10/18/2017	249.31	0.00	11/21/2017	Cell Phone Service - Fire Dept		-			No 0000
101-420-2220-43210	Telephone									
761950227-175	10/18/2017	249.63	0.00	11/21/2017	Cell Phone Service - Building Dept		-			No 0000
101-420-2220-43210	Telephone									
761950227-175	10/18/2017	134.34	0.00	11/21/2017	Cell Phone Service - Public Works Dept		-			No 0000
101-430-3100-43210	Telephone									
761950227-175	10/18/2017	62.63	0.00	11/21/2017	Cell Phone Service - Parks Dept		-			No 0000
101-450-5200-43210	Telephone									
	761950227-175 Total:	781.65								
	SPRINT Total:	781.65								
Sprint Total:		781.65								
Stillwater Medical Group										
STILLMED										
20171109	11/09/2017	726.00	0.00	11/21/2017	Pre-placement Physicals NW & KJ		-			No 0000
101-420-2220-43050	Physicals									
	20171109 Total:	726.00								
	STILLMED Total:	726.00								
Stillwater Medical Group Total:		726.00								
TDS Metrocom - LLC										
TDS										
20171113	11/13/2017	103.76	0.00	11/21/2017	Analog Lines - Fire		-			No 0000
101-420-2220-43210	Telephone									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
20171113	11/13/2017	194.19	0.00	11/21/2017	Analog Lines - Public Works		-			No 0000
101-430-3100-43210	Telephone									
20171113	11/13/2017	96.24	0.00	11/21/2017	Analog Lines - Lift Station Alarms		-			No 0000
602-495-9450-43210	Telephone									
20171113	11/13/2017	50.12	0.00	11/21/2017	Analog Lines - Alarm Well House # 2		-			No 0000
601-494-9400-43210	Telephone									
	20171113 Total:	444.31								
	TDS Total:	444.31								
	TDS Metrocom - LLC Total:	444.31								
Telemetry & Process Controls										
TELEMETR										
106528	10/31/2017	279.00	0.00	11/21/2017	Contract Services - SCADA		-			No 0000
601-494-9400-43150	Contract Services									
106528	10/31/2017	279.00	0.00	11/21/2017	Contract Services - SCADA		-			No 0000
602-495-9450-43150	Contract Services									
	106528 Total:	558.00								
	TELEMETR Total:	558.00								
	Telemetry & Process Controls Total:	558.00								
TKDA, Inc.										
TKDA										
002017004306	11/06/2017	5,756.93	0.00	11/21/2017	2017 Street Project 2016.135		-			No 0000
409-480-8000-43150	Contract Services									
	002017004306 Total:	5,756.93								
	TKDA Total:	5,756.93								
	TKDA, Inc. Total:	5,756.93								
Tri State Bobcat, Inc.										
TRISTATE										
C64792	08/01/2017	289.83	0.00	11/21/2017	Toolcat repairs		-			No 0000
101-430-3100-44040	Repairs/Maint Eqpt									
	C64792 Total:	289.83								
	TRISTATE Total:	289.83								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Tri State Bobcat, Inc. Total:		289.83								
Van Zandt Distributing Inc										
VANZANDT										
7894	11/09/2017	255.38	0.00	11/21/2017	Restock med supplies		-		No	0000
101-420-2220-42080 EMS Supplies										
7894 Total:		255.38								
VANZANDT Total:		255.38								
Van Zandt Distributing Inc Total:		255.38								
Washington County										
WASCOUNT										
Boulder Ponds	11/14/2017	693.00	0.00	11/21/2017	2017 Property Taxes		-		No	0000
101-000-0000-31010 Current Ad Valorem Taxes					34.029.21.33.0026					
Boulder Ponds Total:		693.00								
WASCOUNT Total:		693.00								
Washington County Total:		693.00								
White Anita										
Whiteani										
20171115	11/15/2017	55.00	0.00	11/21/2017	Cable Oper 110917 Finance Comm		-		No	0000
101-410-1450-43620 Cable Operations										
20171115	11/15/2017	55.00	0.00	11/21/2017	Cable Oper 110717 Council Mtg		-		No	0000
101-410-1450-43620 Cable Operations										
20171115	11/15/2017	55.00	0.00	11/21/2017	Cable Oper 111417 Council Spec Mtg		-		No	0000
101-410-1450-43620 Cable Operations										
20171115	11/15/2017	55.00	0.00	11/21/2017	Cable Oper 111417 Council Wkshp		-		No	0000
101-410-1450-43620 Cable Operations										
20171115 Total:		220.00								
Whiteani Total:		220.00								
White Anita Total:		220.00								
Xcel Energy										
XCEL										
567544322	10/30/2017	295.74	0.00	11/21/2017	City Hall		-		No	0000
101-410-1940-43810 Electric Utility										



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
567544322	10/30/2017	31.73	0.00	11/21/2017	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	567544322 Total:	327.47								
567804629	10/31/2017	3,062.51	0.00	11/21/2017	Booster Station		-		No	0000
601-494-9400-43810	Electric Utility									
	567804629 Total:	3,062.51								
568282260	11/03/2017	9.62	0.00	11/21/2017	Legion Park Lights		-		No	0000
101-450-5200-43810	Electric Utility									
568282260	11/03/2017	33.56	0.00	11/21/2017	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
568282260	11/03/2017	253.37	0.00	11/21/2017	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	568282260 Total:	296.55								
568307520	11/03/2017	2,668.85	0.00	11/21/2017	Street Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	568307520 Total:	2,668.85								
568485638	11/06/2017	1,978.71	0.00	11/21/2017	Wells 1 & 2		-		No	0000
601-494-9400-43810	Electric Utility									
	568485638 Total:	1,978.71								
	XCEL Total:	8,334.09								
	Xcel Energy Total:	8,334.09								
Zack's, Inc.										
ZACK										
32378	10/31/2017	21.96	0.00	11/21/2017	water meter supplies		-		No	0000
601-494-9400-42300	Water Meters & Supplies									
32378	10/31/2017	38.28	0.00	11/21/2017	sewer supplies		-		No	0000
602-495-9450-42270	Utility System Maint Supplies									
32378	10/31/2017	27.99	0.00	11/21/2017	fuel spill kit		-		No	0000
101-430-3100-42120	Fuel, Oil and Fluids									
32378	10/31/2017	143.03	0.00	11/21/2017	brooms shovels		-		No	0000
101-430-3100-42400	Small Tools & Minor Equipment									
32378	10/31/2017	38.28	0.00	11/21/2017	water supplies		-		No	0000
601-494-9400-42270	Utility System Maintenance									
32378	10/31/2017	122.97	0.00	11/21/2017	shop supplies		-		No	0000
101-430-3100-42150	Shop Materials									
32378	10/31/2017	42.03	0.00	11/21/2017	paint		-		No	0000
101-450-5200-42150	Shop Materials									
32378	10/31/2017	69.60	0.00	11/21/2017	shovels		-		No	0000
101-450-5200-42400	Small Tools & Minor Equipment									
32378	10/31/2017	102.55	0.00	11/21/2017	small tools		-		No	0000
601-494-9400-42400	Small Tools & Minor Equipment									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
32378	10/31/2017	118.57	0.00	11/21/2017	maul		-			No 0000
602-495-9450-42400	Small Tools & Minor Equipment									
	32378 Total:	725.26								
	ZACK Total:	725.26								
	Zack's, Inc. Total:	725.26								
Zawadski Homes, Inc										
ZAWADSKI										
20171114	11/14/2017	2,000.00	0.00	11/21/2017	Escrow Refund 2017-0016 9729		-			No 0000
803-000-0000-22900	Deposits Payable				Whistling V					
	20171114 Total:	2,000.00								
	ZAWADSKI Total:	2,000.00								
	Zawadski Homes, Inc Total:	2,000.00								
	Report Total:	1,495,320.21								



## STAFF REPORT

DATE: November 21, 2017  
CONSENT  
ITEM #: 3

**TO:** Lake Elmo City Council  
**FROM:** Dan Raboin  
**AGENDA ITEM:** Monthly Assessor Report  
**REVIEWED BY:** Kristina Handt, City Administrator

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**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to accept the monthly assessor report for October 2017 outlining work performed on behalf of the City of Lake Elmo. No specific motion is needed as this is recommended as part of the *Consent Agenda*.

### **MONTHLY ACTIVITY:**

Property splits/plats – 3 Splits, 3 Plats

Sales collected and viewed – 16

Taxpayer inquiries – 10

Miscellaneous inquiries - 3

Inspections – Residential – 144

Inspections – Commercial - 3

Building permit reviews – 73

Pictures taken – 149

Other work performed included:

- Monthly meeting with County residential and commercial supervisors.
- When not working in the field/inspections: Computer work includes but not limited to; data entry for all properties inspected, permit information, sales verification using MLS and other resources, and telephone inquiries.

**RECOMMENDATION:** Based on the aforementioned, the staff recommends the City Council accept the October 2017 monthly assessor report.



## STAFF REPORT

DATE:  
**REGULAR  
MOTION**

**TO:** City Council  
**FROM:** Michael Bent, Building Official  
**AGENDA ITEM:** Approve Monthly Building Department Report for October 2017  
**REVIEWED BY:** Kristina Handt, City Administrator

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### BACKGROUND:

#### ISSUE BEFORE COUNCIL:

As part of its Consent Agenda, the City Council is asked to accept the monthly Building Department report. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

#### PROPOSAL DETAILS/ANALYSIS:

Below is a snapshot of the monthly statistics for October 2017. Comparison data is also include from prior years for October for new home single family construction and total permitting activity for the month. Attached are the system summary reports breaking out this information further, including the statistics related to the inspection activity.

	<u>2017</u>	<u>2016</u>	<u>2015</u>
New Homes	31	27	25
Total Valuation	\$10,867,545	\$8,781,000	\$7,157,677
Average Home Value	\$350,566	\$325,222	\$286,307
Total Permit Valuation YTD	\$111,512,685	\$108,974,918	\$41,167,374
Total Residential Units YTD	259	219	113

#### FISCAL IMPACT:

None

#### OPTIONS:

#### RECOMMENDATION:

**Motion to accept the October 2017 monthly building permit report as presented.**

#### ATTACHMENTS:

1. Valuation Report
2. Permits Issued & Fees Report
3. Inspection statistic report for October 2017
4. YTD Building Department Revenue Report

**CITY OF LAKE ELMO  
Valuation Report - Summary**

Issued Date From: 10/1/2017 To: 10/31/2017  
 Permit Type: All Property Type: All Construction Type: All  
 Include YTD: Yes

Permit Kind	Permit Count	Valuation	Dwell Units	
<b>Permit Type: BUILDING</b>				
COMMERCIAL RETAINING WALL	1	\$20,000.00	0	
COMMERCIAL ROOFING	2	\$95,000.00	0	
COMMERCIAL SIDING	1	\$17,000.00	0	
COMMERCIAL TENNANT SPACE REMODEL	1	\$56,578.00	0	
SINGLE FAMILY ACCESSORY BUILDING	2	\$14,500.00	0	
SINGLE FAMILY ATTACHED NEW CONSTRUCTION	2	\$574,000.00	0	
SINGLE FAMILY BASEMENT FINISH	1	\$32,000.00	0	
SINGLE FAMILY DECK	3	\$28,000.00	0	
SINGLE FAMILY DRAIN TILE WATERPROOFING	2	\$10,663.00	0	
SINGLE FAMILY NEW CONSTRUCTION	29	\$10,293,545.00	0	
SINGLE FAMILY PORCH	1	\$10,000.00	0	
SINGLE FAMILY REMODEL	7	\$86,590.00	0	
SINGLE FAMILY ROOFING	85	\$1,277,632.94	0	
SINGLE FAMILY SIDING	15	\$251,064.56	0	
SINGLE FAMILY WINDOWS	7	\$122,376.00	0	
<b>Permit Type: BUILDING - Total</b>	<b>Period</b>	<b>159</b>	<b>\$12,888,949.50</b>	<b>0</b>
	<b>YTD</b>	<b>912</b>	<b>\$111,512,685.49</b>	<b>0</b>
<b>Report Total:</b>	<b>Period</b>	<b>159</b>	<b>\$12,888,949.50</b>	<b>0</b>
	<b>YTD</b>	<b>912</b>	<b>\$111,512,685.49</b>	<b>0</b>

**CITY OF LAKE ELMO**  
**Permits Issued & Fees Report - Detail by Address**

Issued Date From: 10/1/2017 To: 10/31/2017  
 Permit Type: All Property Type: All Construction Type: All  
 Include YTD: Yes Status: Not Voided

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
<b>Permit Type: BUILDING</b>													
<b>Permit Kind: COMMERCIAL ADDITION</b>													
<b>Permit Kind: COMMERCIAL ALTERATION</b>													
<b>Permit Kind: COMMERCIAL DEMOLITION</b>													
<b>Permit Kind: COMMERCIAL FIRE ALARM</b>													
<b>Permit Kind: COMMERCIAL FIRE SUPPRESSION</b>													
<b>Permit Kind: COMMERCIAL NEW CONSTRUCTION</b>													
<b>Permit Kind: COMMERCIAL REMODEL</b>													
<b>Permit Kind: COMMERCIAL RETAINING WALL</b>													
2017-00911	10/02/2017	9200 HUDSON BLVD N		0	20,000.00	381.40		10.00					391.40
<b>Permit Kind: COMMERCIAL ROOFING</b>													
2017-01256	10/20/2017	10390 39TH ST N 1		0	65,000.00	890.90		32.50					923.40
2017-01234	10/16/2017	5900 LAKE ELMO AVE N		0	30,000.00	524.00		15.00					539.00

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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Permit Type: BUILDING

Permit Kind: COMMERCIAL SEWER & WATER CONNECTION

Permit Kind: COMMERCIAL SIDING

2017-01233	10/16/2017	5900 LAKE ELMO AVE N		0	17,000.00	331.75		8.50					340.25
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Permit Kind: COMMERCIAL TENNANT SPACE REMODEL

2017-01323	10/30/2017	8530 EAGLE POINT BLVD N 250		0	56,578.00	1,263.94	529.65	27.66					1,821.25
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Permit Kind: MANUFACTURED HOME REMODEL

Permit Kind: MANUFACTURED HOME REPLACE/REPAIR

Permit Kind: MANUFACTURED HOME ROOFING

Permit Kind: SINGLE FAMILY ACCESSORY BUILDING

2017-01208	10/25/2017	9123 55TH ST N		0	12,000.00	249.00	161.85	6.00					416.85
2017-00994	10/13/2017	8186 HILL TRL N		0	2,500.00	100.05	65.03	1.25					166.33

Permit Kind: SINGLE FAMILY ADDITION

Permit Kind: SINGLE FAMILY ALTERATION

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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Permit Type: BUILDING

Permit Kind: SINGLE FAMILY ATTACHED BASEMENT FINISH

Permit Kind: SINGLE FAMILY ATTACHED DECK

Permit Kind: SINGLE FAMILY ATTACHED NEW CONSTRUCTION

2017-01287	10/27/2017	11128 6TH STREET CIR N		0	287,000.00	3,223.90	1,591.79	143.50	1,000.00	1	3,485.00	1,000.00	9,894.19
2017-01288	10/27/2017	11136 6TH STREET CIR N		0	287,000.00	3,223.90	1,591.79	143.50	1,000.00	1	3,485.00	1,000.00	9,894.19

Permit Kind: SINGLE FAMILY BASEMENT FINISH

2017-01052	10/13/2017	8618 IRONWOOD TRL N		0	32,000.00	668.00	356.20	16.00					1,040.20
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Permit Kind: SINGLE FAMILY DECK

2017-01152	10/11/2017	11659 32ND ST N		0	14,000.00	282.10	183.37	7.00					472.47
2017-01150	10/11/2017	4045 LADY SLIPPER RD N		0	2,000.00	83.50	54.28	1.00					138.78
2017-01252	10/24/2017	5055 MARQUESS TRAIL CIR N		0	12,000.00	249.00	161.85	6.00					416.85

Permit Kind: SINGLE FAMILY DEMOLITION

2017-01236	10/16/2017	520 LAKE ELMO AVE N		0		200.00		1.00					201.00
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Permit Kind: SINGLE FAMILY DOOR

Permit Kind: SINGLE FAMILY DRAIN TILE WATERPROOFING

2017-01046	10/19/2017	11194 36TH ST N		0	6,463.00	166.25		3.23					169.48
2017-01198	10/11/2017	5111 JAMACA BLVD N		0	4,200.00	133.15		2.10					135.25



Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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Permit Type: **BUILDING**

**Permit Kind: SINGLE FAMILY MANUFACTURED HOME**

2017-01170	10/06/2017	133 CIMARRON		0		200.00		1.00					201.00
2017-01175	10/06/2017	159 CIMARRON		0		200.00		1.00					201.00
2017-01169	10/06/2017	200 CIMARRON		0		200.00		1.00					201.00
2017-01173	10/06/2017	207 CIMARRON		0		200.00		1.00					201.00
2017-01172	10/06/2017	381 CIMARRON		0		200.00		1.00					201.00
2017-01174	10/06/2017	390 CIMARRON		0		200.00		1.00					201.00
2017-01171	10/06/2017	468 CIMARRON		0		200.00		1.00					201.00
2017-01168	10/06/2017	671 CIMARRON		0		200.00		1.00					201.00

**Permit Kind: SINGLE FAMILY NEW CONSTRUCTION**

2017-01130	10/25/2017	11856 32ND ST N		0	302,000.00	3,325.15	1,657.60	151.00	2,000.00	1	3,485.00	1,000.00	10,068.75
2017-01135	10/18/2017	9325 6TH STREET CT N		0	404,000.00	4,013.65	2,105.12	202.00	2,000.00	1	3,485.00	1,000.00	11,255.77
2017-01265	10/25/2017	8707 IRVING BLVD N		0	316,440.00	3,426.40	1,723.41	158.22	2,000.00	1	3,485.00	1,000.00	10,243.03
2017-01261	10/25/2017	8719 IRVING BLVD N		0	365,817.00	3,757.15	1,938.40	182.91	2,000.00	1	3,485.00	1,000.00	10,813.46
2017-01262	10/25/2017	8733 IRVING BLVD N		0	298,192.00	3,304.90	1,644.44	149.10	2,000.00	1	3,485.00	1,000.00	10,033.44
2017-01273	10/25/2017	8819 IRVING BLVD N		0	313,790.00	3,406.15	1,710.25	156.89	2,000.00	1	3,485.00	1,000.00	10,208.29
2017-01294	10/25/2017	955 IRVING CT N		0	319,000.00	3,439.90	1,732.19	159.50	2,000.00	1	3,485.00	1,000.00	10,266.59
2017-01264	10/25/2017	966 IRVING CT N		0	367,187.00	3,770.65	1,947.17	183.59	2,000.00	1	3,485.00	1,000.00	10,836.41
2017-01295	10/25/2017	971 IRVING CT N		0	340,000.00	3,581.65	1,824.32	170.00	2,000.00	1	3,485.00	1,000.00	10,510.97
2017-01270	10/25/2017	979 IRVING CT N		0	335,814.00	3,554.65	1,806.77	167.91	2,000.00	1	3,485.00	1,000.00	10,464.33
2017-01268	10/25/2017	987 IRVING CT N		0	328,263.00	3,507.40	1,776.06	164.13	2,000.00	1	3,485.00	1,000.00	10,382.59
2017-01269	10/25/2017	994 IRVING CT N		0	372,109.00	3,804.40	1,969.11	186.05	2,000.00	1	3,485.00	1,000.00	10,894.56
2017-01263	10/25/2017	995 IRVING CT N		0	338,934.00	3,574.90	1,819.94	169.47	2,000.00	1	3,485.00	1,000.00	10,499.31
2017-01213	10/25/2017	807 IVYWOOD CIR N		0	373,480.00	3,811.15	1,973.50	186.74	2,000.00	1	3,485.00	1,000.00	10,906.39
2017-01023	10/25/2017	826 IVYWOOD CIR N		0	405,305.00	4,027.15	2,113.90	202.65	2,000.00	1	3,485.00	1,000.00	11,278.70
2017-01254	10/31/2017	840 IVYWOOD CIR N		0	343,000.00	3,601.90	1,837.49	171.50	2,000.00	1	3,485.00	1,000.00	10,545.89
2017-01102	10/04/2017	569 JADE TRL N		0	321,000.00	3,453.40	1,740.96	160.50	2,000.00	1	3,485.00	1,000.00	10,289.86
2017-01065	10/03/2017	602 JADE TRL N		0	290,000.00	3,304.15	1,604.95	145.00	2,000.00	1	3,485.00	1,000.00	9,989.10
2017-01083	10/04/2017	9158 JADE WAY N		0	341,000.00	3,588.40	1,828.71	170.50	2,000.00	1	3,485.00	1,000.00	10,522.61
2017-01138	10/17/2017	9167 JADE WAY N		0	278,000.00	3,163.15	1,552.30	139.00	2,000.00	1	3,485.00	1,000.00	9,789.45
2017-01191	10/23/2017	9192 JADE WAY N		0	264,000.00	3,068.65	1,490.87	132.00	2,000.00	1	3,485.00	1,000.00	9,626.52
2017-01220	10/31/2017	857 JUNIPER CIR N		0	458,000.00	4,378.15	2,342.05	229.00	2,000.00	1	3,485.00	1,000.00	11,884.20
2017-00954	10/16/2017	4059 LAVENDER AVE N		0	300,000.00	3,311.65	1,648.82	150.00	2,000.00	1	3,485.00	1,000.00	10,045.47

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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**Permit Type: BUILDING**

<b>Permit Kind: SINGLE FAMILY NEW CONSTRUCTION</b>													
2017-01079	10/02/2017	4140 LAVENDER AVE N		0	391,000.00	3,925.90	2,048.09	195.50	2,000.00	1	3,485.00	1,000.00	11,104.49
2017-01115	10/19/2017	3211 LILAC AVE N		0	289,000.00	3,237.40	1,600.56	144.50	2,000.00	1	3,485.00	1,000.00	9,917.46
2017-01181	10/24/2017	3252 LINDEN LN N		0	307,000.00	3,358.90	1,679.54	153.50	2,000.00	1	3,485.00	1,000.00	10,126.94
2017-01309	10/25/2017	11418 SUNFLOWER LN N		0	350,000.00	3,649.15	1,868.20	175.00	2,000.00	1	3,485.00	1,000.00	10,627.35
2017-01022	10/19/2017	8907 UPPER 9TH PLACE N		0	306,214.00	3,358.90	1,679.54	153.11	2,000.00	1	3,485.00	1,000.00	10,126.55
2017-00897	10/02/2017	9605 WHISTLING VALLEY TRL		0	875,000.00	6,844.15	3,866.95	437.50	2,000.00	0	0.00	0.00	11,248.60

**Permit Kind: SINGLE FAMILY POOL - IN GROUND**

<b>Permit Kind: SINGLE FAMILY PORCH</b>													
2017-01151	10/20/2017	8528 LAKE JANE TRL N		0	10,000.00	215.90	140.34	5.00					361.24

<b>Permit Kind: SINGLE FAMILY REMODEL</b>													
2017-01282	10/23/2017	11364 14TH ST N		0	10,000.00	215.90		5.00					220.90
2017-01134	10/02/2017	9240 31ST ST N		0	1,000.00	106.50	30.23	0.50					137.23
2017-01154	10/11/2017	10929 32ND ST N		0	10,590.00	232.45	151.09	5.29					388.83
2017-01218	10/26/2017	11119 3RD ST N		0	20,000.00	381.40	247.91	10.00					639.31
2017-01176	10/13/2017	11796 58TH ST N		0	6,300.00	166.25	108.06	3.15					277.46
2017-00866	10/03/2017	5710 HYTRAIL AVE N		0	6,000.00	149.70	97.31	3.00					250.01
2017-00995	10/16/2017	5230 KEATS AVE N		0	32,700.00	560.00	364.00	16.35					940.35

**Permit Kind: SINGLE FAMILY RETAINING WALL**

<b>Permit Kind: SINGLE FAMILY ROOFING</b>													
2017-01248	10/18/2017	11063 11TH ST N		0	8,500.00	199.35		4.25					203.60
2017-01221	10/13/2017	11066 11TH ST N		0	12,019.74	265.55		6.01					271.56
2017-01275	10/23/2017	11075 14TH ST N		0	27,000.00	487.50		13.50					501.00
2017-01341	10/30/2017	2972 30TH STREET CIR N		0	7,840.00	182.80		3.92					186.72
2017-01284	10/23/2017	11200 31ST ST N		0	5,400.00	149.70		2.70					152.40

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
<b>Permit Type: BUILDING</b>													
<b>Permit Kind: SINGLE FAMILY ROOFING</b>													
2017-01207	10/12/2017	10915 33RD STREET LN N		0	4,500.00	133.15		2.25					135.40
2017-01140	10/04/2017	8867 35TH ST N		0	10,150.00	232.45		5.07					237.52
2017-01206	10/12/2017	8891 37TH ST N		0	9,000.00	199.35		4.50					203.85
2017-01228	10/16/2017	10886 3RD STREET PLACE N		0	29,616.00	524.00		14.81					538.81
2017-01291	10/24/2017	10931 3RD STREET PLACE N		0	22,000.00	414.50		11.00					425.50
2017-01257	10/20/2017	8696 42ND ST N		0	13,000.00	265.55		6.50					272.05
2017-01328	10/27/2017	8830 42ND ST N		0	9,000.00	199.35		4.50					203.85
2017-01217	10/13/2017	8860 42ND ST N		0	12,000.00	249.00		6.00					255.00
2017-01250	10/18/2017	11834 44TH STREET LN N		0	28,000.00	500.00		14.00					514.00
2017-01145	10/04/2017	9524 51ST ST N		0	23,952.14	435.62		11.98					447.60
2017-01188	10/10/2017	9768 53RD ST N		0	18,000.00	348.30		9.00					357.30
2017-01249	10/18/2017	9055 55TH ST N		0	19,000.00	364.85		9.50					374.35
2017-01204	10/11/2017	9203 55TH ST N		0	50,000.00	764.00		25.00					789.00
2017-01156	10/05/2017	9486 55TH ST N		0	31,469.57	548.00		15.73					563.73
2017-01285	10/23/2017	9515 55TH ST N		0	18,000.00	348.30		9.00					357.30
2017-01158	10/05/2017	9798 55TH ST N		0	45,000.00	704.00		22.50					726.50
2017-01245	10/17/2017	11686 56TH ST N		0	20,000.00	381.40		10.00					391.40
2017-01317	10/25/2017	11693 56TH ST N		0	36,796.55	608.00		18.40					626.40
2017-01132	10/02/2017	11753 56TH ST N		0	16,890.00	331.75		8.44					340.19
2017-01210	10/12/2017	10929 57TH ST N		0	13,000.00	265.55		6.50					272.05
2017-01192	10/10/2017	9481 57TH ST N		0	13,746.00	282.10		6.87					288.97
2017-01277	10/23/2017	11769 58TH ST N		0	27,300.00	500.00		13.65					513.65
2017-01342	10/30/2017	11787 58TH ST N		0	40,000.00	644.00		20.00					664.00
2017-01160	10/05/2017	8391 59TH ST N		0	16,317.00	331.75		8.16					339.91
2017-01166	10/05/2017	9858 59TH STREET CT N		0	8,000.00	182.80		4.00					186.80
2017-01141	10/04/2017	8060 DEMONTREVILLE TRL CIR N		0	11,700.00	249.00		5.85					254.85
2017-01340	10/30/2017	8080 DEMONTREVILLE TRL CIR N		0	29,000.00	512.00		14.50					526.50
2017-01211	10/12/2017	7848 DEMONTREVILLE TRL N		0	10,500.00	232.45		5.25					237.70
2017-01200	10/11/2017	8470 DEMONTREVILLE TRL N		0	15,000.00	298.65		7.50					306.15
2017-01179	10/10/2017	8727 DEMONTREVILLE TRL N		0	12,000.00	249.00		6.00					255.00
2017-01238	10/16/2017	5440 HIGHLANDS TRL N		0	16,163.00	331.75		8.08					339.83
2017-01244	10/17/2017	5071 HILLTOP AVE N		0	11,995.00	249.00		6.00					255.00
2017-01253	10/19/2017	5361 HILLTOP AVE N		0	10,800.00	232.45		5.40					237.85
2017-01246	10/18/2017	3797 IDEAL AVE N		0	16,000.00	315.20		8.00					323.20
2017-01266	10/20/2017	2850 IMPERIAL AVE N		0	11,300.00	249.00		5.65					254.65

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
<b>Permit Type: BUILDING</b>													
<b>Permit Kind: SINGLE FAMILY ROOFING</b>													
2017-01219	10/13/2017	2930 INNSDALE AVE N		0	10,500.00	232.45		5.25					237.70
2017-01185	10/10/2017	4100 IRVIN CIR N		0	14,450.00	298.65		7.22					305.87
2017-01322	10/26/2017	4280 IRVIN CT N		0	13,000.00	265.55		6.50					272.05
2017-01190	10/10/2017	5121 ISLE AVE N		0	23,000.00	431.05		11.50					442.55
2017-01164	10/05/2017	4275 IVY CT N		0	7,500.00	182.80		3.75					186.55
2017-01331	10/27/2017	4280 IVY CT N		0	8,000.00	182.80		4.00					186.80
2017-01148	10/04/2017	4955 JAMACA AVE N		0	12,000.00	249.00		6.00					255.00
2017-01202	10/11/2017	4990 JAMACA AVE N		0	8,000.00	182.80		4.00					186.80
2017-01226	10/16/2017	5060 JAMACA AVE N		0	25,650.00	476.00		12.82					488.82
2017-01247	10/18/2017	5217 JAMACA AVE N		0	7,582.50	182.80		3.79					186.59
2017-01243	10/17/2017	5367 JAMACA AVE N		0	18,000.00	348.30		9.00					357.30
2017-01163	10/05/2017	5150 JAMACA BLVD N		0	10,000.00	215.90		5.00					220.90
2017-01242	10/16/2017	5151 JAMACA BLVD N		0	11,100.00	249.00		5.55					254.55
2017-01223	10/16/2017	5210 JAMACA BLVD N		0	17,500.00	348.30		8.75					357.05
2017-01178	10/06/2017	9447 JANE CT N		0	15,900.00	315.20		7.95					323.15
2017-01143	10/04/2017	9060 JANE RD N		0	5,000.00	133.15		2.50					135.65
2017-01180	10/10/2017	9160 JANE RD N		0	10,500.00	232.45		5.25					237.70
2017-01165	10/05/2017	9406 JANE RD N		0	9,000.00	199.35		4.50					203.85
2017-01142	10/04/2017	4860 JEROME AVE N		0	6,573.14	162.96		3.29					166.25
2017-01149	10/04/2017	5055 JEROME AVE N		0	5,000.00	266.30		2.50					268.80
2017-01267	10/20/2017	5629 JULEP WAY		0	11,700.00	249.00		5.85					254.85
2017-01137	10/03/2017	5660 JULEP WAY		0	18,300.00	364.85		9.15					374.00
2017-00948	10/16/2017	3533 KELVIN AVE N		0	4,800.00	133.15		2.40					135.55
2017-01216	10/13/2017	3681 KELVIN AVE N		0	7,292.00	182.80		3.65					186.45
2017-01334	10/30/2017	5170 KIRKWOOD AVE N		0	13,886.00	282.10		6.94					289.04
2017-01283	10/23/2017	5429 LAKE ELMO AVE N		0	7,789.00	182.80		3.89					186.69
2017-01272	10/20/2017	814 LAKE ELMO AVE N		0	10,200.00	232.45		5.10					237.55
2017-01339	10/30/2017	8841 LAKE JANE TRL N		0	11,300.00	249.00		5.65					254.65
2017-01144	10/04/2017	8935 LAKE JANE TRL N		0	14,093.72	275.05		7.05					282.10
2017-01133	10/04/2017	9149 LAKE JANE TRL N		0	10,000.00	215.29		5.00					220.29
2017-01276	10/23/2017	4748 LARKSPUR LN N		0	18,424.00	364.85		9.21					374.06
2017-01274	10/23/2017	1145 LEEWARD AVE N		0	11,200.00	249.00		5.60					254.60
2017-01222	10/13/2017	4605 LILY AVE N		0	26,067.10	488.00		13.03					501.03
2017-01155	10/05/2017	5729 LINDEN AVE N		0	21,000.00	397.95		10.50					408.45
2017-01193	10/11/2017	5257 LINDEN TRL N		0	9,300.00	215.90		4.65					220.55
2017-01209	10/12/2017	2445 LISBON AVE N		0	5,000.00	133.15		2.50					135.65

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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**Permit Type: BUILDING**

**Permit Kind: SINGLE FAMILY ROOFING**

2017-01196	10/11/2017	11720 LITTLE BLUESTEM CT N		0	8,000.00	182.80		4.00					186.80
2017-01197	10/11/2017	11730 LITTLE BLUESTEM CT N		0	8,000.00	182.80		4.00					186.80
2017-01159	10/05/2017	4336 LITTLE BLUESTEM TRL N		0	22,500.00	431.05		11.25					442.30
2017-01329	10/27/2017	12195 MARQUESS LANE CV N		0	8,000.00	182.80		4.00					186.80
2017-01203	10/11/2017	12245 MARQUESS LN N		0	13,000.00	265.55		6.50					272.05
2017-01153	10/05/2017	5058 MARQUESS TRAIL CT N		0	16,870.48	331.75		8.44					340.19
2017-01177	10/06/2017	12521 MARQUESS WAY N		0	9,000.00	199.35		4.50					203.85
2017-01161	10/05/2017	12532 MARQUESS WAY N		0	7,000.00	166.25		3.50					169.75
2017-01214	10/13/2017	4370 STILLWATER BLVD N		0	6,700.00	166.25		3.35					169.60

**Permit Kind: SINGLE FAMILY SIDING**

2017-01229	10/16/2017	10886 3RD STREET PLACE N		0	66,690.00	907.80		33.34					941.14
2017-01189	10/10/2017	9768 53RD ST N		0	20,000.00	381.40		10.00					391.40
2017-01157	10/05/2017	9486 55TH ST N		0	12,313.39	265.55		6.16					271.71
2017-01333	10/27/2017	9836 59TH STREET CT N		0	9,900.00	215.90		4.95					220.85
2017-01167	10/05/2017	9858 59TH STREET CT N		0	12,000.00	249.00		6.00					255.00
2017-01325	10/27/2017	5170 HILLTOP AVE N		0	20,000.00	381.40		10.00					391.40
2017-01241	10/16/2017	4275 IVY CT N		0	14,200.00	298.65		7.10					305.75
2017-01313	10/25/2017	5110 JAMACA BLVD N		0	15,000.00	298.65		7.50					306.15
2017-01332	10/27/2017	3217 LAKE ELMO AVE N		0	10,000.00	215.90		5.00					220.90
2017-01326	10/27/2017	5308 LINDEN TRL N		0	19,261.17	381.40		9.63					391.03
2017-01330	10/27/2017	12195 MARQUESS LANE CV N		0	13,000.00	265.55		6.50					272.05
2017-01297	10/24/2017	5083 MARQUESS TRAIL CIR N		0	23,000.00	431.05		11.50					442.55
2017-01146	10/04/2017	12409 MARQUESS WAY N		0	2,700.00	100.05		1.35					101.40
2017-01147	10/04/2017	12418 MARQUESS WAY N		0	2,000.00	83.50		1.00					84.50
2017-01162	10/05/2017	12532 MARQUESS WAY N		0	11,000.00	232.45		5.50					237.95

**Permit Kind: SINGLE FAMILY SOLAR PANEL INSTALL**

**Permit Kind: SINGLE FAMILY THREE SEASON PORCH**

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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**Permit Type: BUILDING**

**Permit Kind: SINGLE FAMILY WINDOWS**

2017-01281	10/23/2017	8898 35TH ST N		0	22,362.00	431.05		11.18					442.23
2017-01227	10/16/2017	10886 3RD STREET PLACE N		0	14,750.00	298.65		7.37					306.02
2017-01183	10/10/2017	5747 HIGHLANDS CT N		0	30,000.00	524.00		15.00					539.00
2017-01280	10/23/2017	8018 HILL TRL N		0	18,170.00	364.85		9.08					373.93
2017-01324	10/27/2017	5170 HILLTOP AVE N		0	5,000.00	133.15		2.50					135.65
2017-01201	10/11/2017	3829 IRONWOOD TRL N		0	29,857.00	524.00		14.93					538.93
2017-01186	10/10/2017	12432 MARQUESS WAY N		0	2,237.00	100.05		1.12					101.17

**Permit Type: BUILDING - Totals**

<b>Period</b>	<b>168</b>	<b>0</b>	<b>12,888,949.50</b>	<b>154,671.96</b>	<b>60,365.96</b>	<b>6,452.81</b>	<b>60,000.00</b>	<b>30</b>	<b>104,550.00</b>	<b>30,000.00</b>	<b>3,255,848.67</b>
<b>YTD</b>	<b>939</b>	<b>0</b>	<b>111,512,685.49</b>	<b>1,243,669.12</b>	<b>546,027.46</b>	<b>53,917.09</b>	<b>557,913.84</b>	<b>271</b>	<b>986,435.00</b>	<b>305,000.00</b>	<b>3,813,762.51</b>

**Permit Type: MECHANICAL**

**Permit Kind: COMMERCIAL FIREPLACE**

**Permit Kind: COMMERCIAL FIXTURE INSTALLATION / APPLIANCE**

2017-01224	10/16/2017	11490 HUDSON BLVD N		0		60.00		1.00					61.00
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**Permit Kind: COMMERCIAL HVAC**

2017-01336	10/30/2017	11194 36TH ST N		0		432.10		14.90					447.00
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**Permit Kind: MANUFACTURED HOME HVAC**

**Permit Kind: SINGLE FAMILY FIREPLACE**

2017-01298	10/24/2017	8330 21ST ST N		0		60.00		1.00					61.00
2017-01225	10/16/2017	8154 26TH ST N		0		60.00		1.00					61.00
2017-01231	10/16/2017	5430 HIGHLANDS TRL N		0		60.00		1.00					61.00

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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**Permit Type: MECHANICAL**

**Permit Kind: SINGLE FAMILY FIREPLACE**

2017-01289	10/24/2017	9519 STILLWATER BLVD N		0		60.00		1.00					61.00
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**Permit Kind: SINGLE FAMILY FIXTURE INSTALLATION / APPLIANCE**

**Permit Kind: SINGLE FAMILY HVAC**

2017-01215	10/13/2017	11106 14TH ST N		0		60.00		1.00					61.00
2017-01187	10/10/2017	9768 7TH ST N		0		60.00		1.00					61.00
2017-01318	10/25/2017	8685 9TH PLACE N		0		60.00		1.00					61.00
2017-01199	10/11/2017	8721 9TH PLACE N		0		70.00		1.00					71.00
2017-01335	10/30/2017	284 CIMARRON		0		120.00		1.00					121.00
2017-01260	10/20/2017	7817 DEMONTREVILLE TRL N		0		120.00		1.00					121.00
2017-01258	10/20/2017	8171 HIDDEN BAY TRL N		0		120.00		1.00					121.00
2017-01279	10/23/2017	8573 HIDDEN BAY TRL N		0		60.00		1.00					61.00
2017-01346	10/25/2017	7920 HILL TRL N		0		60.00		1.00					61.00
2017-01259	10/20/2017	1727 IVORY AVE N		0		60.00		1.00					61.00
2017-01337	10/30/2017	9033 JAMACA CT N		0		60.00		1.00					61.00
2017-01230	10/16/2017	5545 KEATS AVE N		0		60.00		1.00					61.00
2017-01290	10/24/2017	2939 LEGION AVE N		0		60.00		1.00					61.00
2017-01182	10/10/2017	4558 LILAC LN N		0		60.00		1.00					61.00

**Permit Type: MECHANICAL - Totals**

Period	20	0				1,762.10		33.90					24,142.87
YTD	122	0				23,527.93		614.94					24,142.87

**Permit Type: PLUMBING**

**Permit Kind: COMMERCIAL FIXTURE INSTALLATION / APPLIANCE**

**Permit Kind: COMMERCIAL SEWER CONNECTION**

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
---------	-------------	--------------	--------------	-------------	-----------	---------	------------	-----------------	-------------	-----------	----------	----------	------------

Permit Type: PLUMBING

<b>Permit Kind: COMMERCIAL SEWER CONNECTION</b>													
2017-00317	10/10/2017	10390 39TH ST N 1		0		60.00		1.00		4	1,988.00		2,049.00

Permit Kind: COMMERCIAL WATER SOFTNER

Permit Kind: MANUFACTURED HOME FIXTURE INSTALLATION / APPLIANCE

<b>Permit Kind: PUBLIC FIXTURE INSTALLATION / APPLIANCE</b>													
2017-01310	10/25/2017	9896.5 8TH ST N		0		60.00		1.00					596.00

Permit Kind: SINGLE FAMILY ATTACHED FIXTURE INSTALLATION / APPLIANCE

<b>Permit Kind: SINGLE FAMILY FIXTURE INSTALLATION / APPLIANCE</b>													
2017-01296	10/24/2017	8276 22ND ST N		0		60.00		1.00					61.00
2017-01232	10/16/2017	4689 BIRCH BARK TRL N		0		60.00		1.00					61.00

Permit Kind: SINGLE FAMILY REMODEL

<b>Permit Kind: SINGLE FAMILY RPZ</b>													
2017-01293	10/24/2017	8650 HUDSON BLVD N		0		60.00		1.00					61.00

Permit Kind: SINGLE FAMILY SEWER CONNECTION

Permit Kind: SINGLE FAMILY WATER CONNECTION



Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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Permit Type: PLUMBING

Permit Kind: SINGLE FAMILY WATER HEATER

Permit Kind: SINGLE FAMILY WATER METER

Permit Kind: SINGLE FAMILY WATER SOFTNER

2017-01338	10/30/2017	9849 5TH ST LANE N		0		60.00		1.00					61.00
2017-01184	10/10/2017	588 6TH STREET LANE N		0		60.00		1.00					61.00
2017-01314	10/25/2017	4024 LADY SLIPPER RD N		0		60.00		1.00					61.00
2017-01315	10/25/2017	4059 LAVENDER AVE N		0		60.00		1.00					61.00

Permit Type: PLUMBING - Totals

Period	9	0				540.00		9.00		4	1,988.00		402,572.90
YTD	175	0				54,043.90		174.00		98	315,920.00	12,000.00	402,572.90

Permit Type: SPRINKLER AND ALARM

Permit Kind: COMMERCIAL FIRE ALARM

Permit Kind: COMMERCIAL FIRE SUPPRESSION

Permit Kind: COMMERCIAL NEW CONSTRUCTION

Permit Type: SPRINKLER AND ALARM - Totals

Period	0												5,764.02
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Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
			YTD	5	0			130.25					5,764.02

Permit Type: ZONING

Permit Kind: AGRICULTURAL SIGN

Permit Kind: COMMERCIAL DRIVEWAY

2017-01237	10/16/2017	3442 LAKE ELMO AVE N		0		70.00							70.00
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Permit Kind: COMMERCIAL FENCE

Permit Kind: COMMERCIAL PARKING LOT

Permit Kind: COMMERCIAL SIGN

Permit Kind: SINGLE FAMILY ACCESSORY BUILDING

2017-01194	10/11/2017	10321 10TH ST N		0		75.00							75.00
2017-01212	10/13/2017	11180 50TH ST N		0		75.00							75.00

Permit Kind: SINGLE FAMILY DRIVEWAY

2017-01292	10/24/2017	9043 28TH ST N		0		70.00							70.00
2017-01205	10/11/2017	9082 55TH ST N		0		75.00							75.00

Permit Kind: SINGLE FAMILY FENCE

Permit Kind: SINGLE FAMILY PATIO

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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Permit Type: ZONING

Permit Kind: SINGLE FAMILY POOL - IN GROUND

Permit Kind: SINGLE FAMILY SIGN

Permit Kind: SINGLE FAMILY SITE IMPROVEMENTS

Permit Type: ZONING - Totals

Period	5	0			365.00								5,060.00
YTD	58	0			4,985.00			28,250.00					33,310.00

Report Total	Period	202	0	\$12,888,949.50	157,339.06	60,365.96	6,495.71	60,000.00	34	106,538.00	30,000.00		3,693,388.46
	YTD	1,299	0	\$111,512,685.49	1,331,859.72	546,027.46	54,836.28	586,163.84	369	302,355.00	317,000.00		4,279,552.30

**CITY OF LAKE ELMO**

**Inspection Statistics Report - Detail**

Actual Date From: 10/1/2017 To: 10/31/2017

Permit Type: All Property Type: All Construction Type: All

Inspection Type	Pass	Fail	No Status	Reinsp	Period Total	YTD Total
ABOVE CEILING	10	0	0	0	10	17
ACCESSIBILITY	3	0	0	0	3	5
ENGINEER ACCEPTANCE LETTER	0	0	0	0	0	1
FIRE ALARM FINAL	1	0	0	0	1	1
AS BUILT	14	1	0	0	15	203
AIRTEST	1	0	0	0	1	9
BALANCE REPORT	2	0	0	0	2	5
BUILDING FINAL	25	6	0	4	31	323
CHEMICAL SUPPRESSION	2	0	0	1	2	5
COMMISSIONING REPORT	0	0	0	0	0	1
DECK FINAL	6	2	0	0	8	43
DECK	1	0	0	0	1	1
DECK FOOTING	0	0	0	0	0	2
DEMOLITION FINAL	0	1	0	0	1	5
DECK FRAMING	0	0	0	0	0	24
FIRE DOORS	3	0	0	0	3	6
DRAINTILE	2	0	0	0	2	3
DRYWALL	5	0	0	0	5	103
DUCTWORK	0	0	0	0	0	45
EASEMENT RECORDING	0	0	0	0	0	1
ELECTRICAL FINAL	9	0	0	0	9	192
ELECTRICAL ROUGH IN	2	0	0	0	2	147
EMERGENCY LIGHTING	1	0	0	0	1	6
ESCROW FINAL	9	2	0	1	11	211
EXIT SIGNS	0	0	0	0	0	5
FIRE ALARM FINAL	3	0	0	0	3	7
FIRE ALARM ROUGH	0	0	0	0	0	129
FIRE CAULK/STOP	0	0	0	0	0	140
FENCE FINAL	0	0	0	0	0	21
FINAL	5	0	0	0	5	56
FIREPLACE ROUGH IN	30	2	0	1	32	226
FLOOR FRAMING	0	0	0	0	0	2
FOOTINGS/SLAB	52	1	0	0	53	327
FINAL/ORSAT	0	0	0	0	0	3
FIREPLACE FINAL	6	0	0	0	6	39
FOUNDATION PRIOR TO BACKFILL	0	0	0	0	0	1
FRAMING 2	2	0	0	0	2	13
FRAMING	37	6	0	3	43	523
FRAMING ROUGH IN	0	0	0	0	0	35
FIRE LANE SIGNAGE	1	0	0	0	1	2
FIRE RATED WALL ASSEMBLY	2	0	0	0	2	10
FIRE SEPERATION WALL	3	0	0	0	3	92
FIRE SUPPRESSION FINAL	6	1	0	0	7	55
FIRE SUPPRESSION ROUGH IN	0	0	0	0	0	10
FOOTING TRASH ENCLOSURE	0	0	0	0	0	1
FINAL - UNIT (Multiple Dwelling)	133	1	0	1	134	134
GASLINE / PRESSURE TEST	31	6	0	2	37	320
GRADING	0	0	0	0	0	1
TYPE 1 HOOD ROUGH IN	0	0	0	0	0	6
HEATING ROUGH 2	3	0	0	0	3	11
HTG RI ABOVE CEILING	0	0	0	0	0	10

Inspection Type	Pass	Fail	No Status	Reinsp	Period Total	YTD Total
HEATING FINAL UNIT	82	0	0	0	82	82
HOUSE WRAP	4	1	0	0	5	24
HYDRONIC PIPE AIR TEST	0	0	0	0	0	3
HYDROSTATIC TEST	1	0	0	0	1	6
IN FLOOR HEAT AIR TEST	2	0	0	0	2	13
INSULATION	63	1	0	1	64	522
LATH	13	2	0	0	15	185
RATED WALL LABELS	0	0	0	0	0	2
HEATING FINAL	23	4	0	3	27	320
HEATING ROUGH IN	32	3	0	3	35	423
FIRE SPRINKLER ROUGH	4	0	0	0	4	62
OTHER	0	0	1	0	1	22
PIER FOOTINGS	1	0	0	0	1	2
PARKING STRIPING/SIGNAGE	0	0	0	0	0	1
PLUMBING FINAL	20	4	0	2	24	311
POOL FINAL	0	0	0	0	0	5
PLUMBING ROUGH IN	34	4	0	1	38	440
PLUMBING ROUGH 2	2	0	0	0	2	11
PLUMBING UNDERGROUND	39	1	0	0	40	248
PLUMBING VISUAL	0	0	0	0	0	1
POLY/UNDER SLAB	35	1	0	0	36	233
PORCH FOOTING	1	0	0	0	1	1
PUMPING REPORT	0	0	0	0	0	3
PLUMBING FINAL UNIT	91	0	0	0	91	91
POURED WALL	34	1	0	1	35	227
RADON UNDERGROUND	5	0	0	0	5	115
RESTORATION	0	0	0	0	0	3
ROOFING FINAL	78	2	3	1	83	205
ICE & WATER	79	1	0	0	80	191
SEPTIC	0	0	0	0	0	2
SEWER & WATER	33	1	1	0	35	212
SEWER	7	0	0	0	7	53
SHEATHING	0	0	0	0	0	12
SHEETROCK	0	0	0	0	0	8
SIDING FINAL	2	1	0	1	3	23
FOOTINGS SIGN	0	0	0	0	0	1
SILT FENCE	1	0	0	0	1	97
SITE MEETING	0	0	0	0	0	2
SPANCRETE	0	0	0	0	0	1
SPRINKLER FINAL	0	0	0	0	0	5
SPECIAL INSP REPORTS	0	0	0	0	0	1
SPRINKLER ROUGH IN	0	0	0	0	0	150
STRUCTURAL STEEL	0	0	0	0	0	1
STORM SEWER	0	0	1	0	1	5
SPRINKLER UNIT FINAL	0	0	0	0	0	88
SEWER WATER DISCONNECT	1	0	0	0	1	4
TANK REMOVAL	1	0	0	0	1	4
VBWD PERMIT	1	0	0	0	1	1
VISUAL	0	0	0	0	0	6
WATER CONNECTION	1	0	0	0	1	1
POURED WALL	0	0	0	0	0	1
WATER	0	0	0	0	0	7
WATER SERVICE CONNECTION	0	0	0	0	0	2
WELL ABANDONEMENT	0	0	0	0	0	3
WINDOW REPLACEMENT	5	0	0	1	5	32
WINDOW WELL EGRESS	0	0	0	0	0	1
WATERPROOF / DRAINTILE	23	0	0	0	23	183
WEATHER RESISTIVE BARRIER	23	0	0	0	23	170

<b>Inspection Type</b>	<b>Pass</b>	<b>Fail</b>	<b>No Status</b>	<b>Reinsp</b>	<b>Period Total</b>	<b>YTD Total</b>
<b>Report Totals</b>	<b>1,151</b>	<b>56</b>	<b>6</b>	<b>27</b>	<b>1,213</b>	<b>8,366</b>

City of Lake Elmo  
Building Department

Year to Date Statistics 01/01/2017 - 10/31/2017

Single Family Residential Units 259

**Revenue**

Building Permit	\$857,645.44
Plan Review	\$539,003.53
Heating Permits	\$115,891.13
Plumbing Permits	\$64,928.42
Roofing Permits	\$112,814.64
Siding Permits	\$13,881.15
Sewer & Water Permits	\$15,540.00
Fireplace Permits	\$15,900.00
Fire Suppression Permits	\$11,522.53
Fire Alarm Permits	\$2,764.90
Water Service Install Permit (Commercial)	\$2,276.10
Storm Sewer Install Permit (Commercial)	\$1,184.78
Construction Escrow Administration Fee	\$26,000.00
Planning & Zoning Review Fee*	\$10,500.00
<b><u>Total Building Department Revenue</u></b>	<b><u>\$1,789,852.62</u></b>

*\* Planning & Zoning Review Fee is a new fee (\$100.00 per new construction permit reviewed) This function was previously completed by the planning department staff. The Building Department staff assumed this task when the planning department became short handed and will continue to perform this function until such time the planning director is comfortable reassigning these duties back to the planning department staff.*



## STAFF REPORT

DATE: November 21, 2017

**CONSENT**

ITEM #: 5

**TO:** City Council

**FROM:** Greg Malmquist, Fire Chief

**AGENDA ITEM:** Month End Fire Department Update for October 2017

**REVIEWED BY:** Kristina Handt, City Administrator

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**ISSUE BEFORE COUNCIL:** Review month end activity update from fire department. Advise on any additional information requested.

**PROPOSAL DETAILS/ANALYSIS:**

We had 39 calls in October:

4	Fire Alarms
4	Dispatched and cancelled en route
21	Medicals
3	Gas leaks
1	Grass fire
3	Car accidents with injuries
1	Power line down
1	Smoke in the home
1	Vehicle accident (requested by law enforcement for road clean-up)
<b>39</b>	<b>Total</b>

A command vehicle did not respond on 7 calls for a response rate of 84%. Average response time was 8.25 minutes. 17 calls had 3 or less responders minus the Duty Officer with 8 calls having only 1 personnel on the apparatus.

Department drills for the Month:

- #1 - CEU – RIT
- #2 - Water Rescue
- #3 - Arbor Glen tour (building construction)

Points of interest:

- The part time shifts are up and running. Scheduling is proving to be a challenge as people's schedules at their full time lives are constantly changing. This is creating a huge burden to ensure coverage during the part time hours. The good news however, is that while the average response time appears to have increased, it is actually a bit deceiving. While shifts are running, we have a truck in service besides the duty vehicle within 2 minutes of the page. Sometimes within seconds of the page. Many of the calls this past month have been at the far reaches of the city making it look like we are responding slower than we actually are.
- Along with the shift work, we have managed to discover maintenance issues on our fleet much quicker and mitigate them to reduce the chance of failures on the emergency scene.



- Both Chiefs attended the State Chief's Association Conference this month.
- Hydrant flushing has begun. It is unlikely that we will be able to get them all done prior to the winter freeze but we are fighting against the clock to get as many flushed as possible.



## MAYOR AND COUNCIL COMMUNICATION

DATE: 11/21/2017

**CONSENT**

ITEM #: 6

**AGENDA ITEM:** Public Works Director Report

**SUBMITTED BY:** Rob Weldon, Public Works Director

**REVIEWED BY:** Kristina Handt, City Administrator

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### **ISSUE BEFORE COUNCIL:**

City Council is asked to review and accept, as part of Consent Agenda, a brief description of activities that have taken place in the Public Works Department in the month of October 2017.

### **PROPOSAL DETAILS/ANALYSIS:**

- Meeting w/ MN Land Trust
- Inwood Ave. Water Tower Progress Meeting
- Inwood Booster Station meeting
- Meet w/ Sgt. Osterman to discuss winter parking approach
- Discuss hydrant flushing w/ Fire Dept
- Public Works Pre-Snow Plow Meeting
- Continue work on Wellhead Protection Plan
- Loader in for radiator and exhaust repair
- Snow and Ice Chemical Training through MN Street Supt. Association
- Old Village Phase 1 warranty walk through
- Staff attended MnDOT Fall Maint. Expo
- Mulch installed at Easton Village Park
- Grading and playground installation at Savona Park
- Tree trimming on Klondike Ave.
- Work began on I-94 Lift Station
- 34<sup>th</sup> St Lift Station cleaning
- SCADA Computer Maint.
- Snow equipment installed on vehicles
- Booster Station Trees Planted
- Continued work on Lions Park
- Yard lights repaired at Public Works
- Culvert cleaning

### **RECOMMENDATION:**

Base on the activities listed above, City Council is respectfully asked to accept the October 2017 Public Works Report.



## STAFF REPORT

DATE: November 21, 2017  
CONSENT #7

**AGENDA ITEM:** I-94 Lift Station (No. 1) & Sanitary Sewer Imp. – Pay Request No. 1

**SUBMITTED BY:** Chad Isakson, Project Engineer

**REVIEWED BY:** Kristina Handt, City Administrator  
Rob Weldon, Public Works Director  
Jack Griffin, City Engineer

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**ISSUE BEFORE COUNCIL:** Should the City Council approve Pay Request No. 1 for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements?

**BACKGROUND:** RL Larson Excavating, Inc. was awarded a construction contract to complete the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements on May 2, 2017.

**PROPOSAL DETAILS/ANALYSIS:** RL Larson Excavating, Inc. has submitted Partial Pay Request No. 1 in the amount of \$696,280.74. 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 \$36,646.35.

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

**RECOMMENDATION:** Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Pay Request No. 1 for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

*“Move to approve Pay Request No. 1 to RL Larson Excavating, Inc. in the amount of \$696,280.74 for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements project”.*

**ATTACHMENTS:**

1. Partial Pay Estimate No. 1.

**PROJECT PAY FORM**

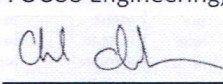
PARTIAL PAY ESTIMATE NO. <u>1</u>	<b>FOCUS</b> ENGINEERING, inc.
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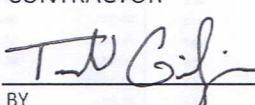
I-94 LIFT STATION (NO. 1) AND SANITARY SEWER IMPROVEMENTS PROJECT NO. 2016.134	PERIOD OF ESTIMATE FROM <u>6/1/2017</u> TO <u>10/31/2017</u>
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PROJECT OWNER: <b>CITY OF LAKE ELMO</b> 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER	CONTRACTOR: <b>RL LARSON EXCAVATING, INC.</b> 2255 12TH STREET SE ST. CLOUD, MN 56304 ATTN: RANDY KIRSCHMAN
---	---

CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	6/20/2017	\$17,853.72		1. Original Contract Amount	\$809,129.70
2	10/17/2017	\$0.00	\$0.00	2. Net Change Order Sum	\$17,853.72
				3. Revised Contract (1+2)	\$826,983.42
				4. *Work Completed	\$732,927.09
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$732,927.09
				7. Retainage* <u>5.0%</u>	\$36,646.35
				8. Previous Payments	\$0.00
TOTALS		\$17,853.72	\$0.00	9. Amount Due (6-7-8)	<b>\$696,280.74</b>
NET CHANGE		\$17,853.72		*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE:	<u>10/16/2017</u>	ORIGINAL DAYS	<u>60</u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u>11/17/2017</u>	REVISED DAYS	<u>0</u>	YES	<input checked="" type="checkbox"/>
FINAL COMPLETION:	<u>12/15/2017</u>	REMAINING	<u>45</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>11/14/2017</u> _____ DATE
--	--

CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.	CONTRACTOR  _____ BY <u>11/14/17</u> _____ DATE
--	---

APPROVED BY OWNER: <b>CITY OF LAKE ELMO, MINNESOTA</b>	
BY _____	BY _____
DATE _____	DATE _____

I-94 LIFT STATION (NO. 1) AND SANITARY SEWER IMPROVEMENTS  
 CITY OF LAKE ELMO, MINNESOTA  
 PROJECT NO. 2016.134



ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
<b>DIVISION 1 - SANITARY SEWER</b>									
1	MOBILIZATION	LS	1	\$30,000.00	\$30,000.00	1.00	\$30,000.00	1.00	\$30,000.00
2	TRAFFIC CONTROL	LS	1	\$6,300.00	\$6,300.00	0.90	\$5,670.00	0.90	\$5,670.00
3	PRECAST CONCRETE JERSEY BARRIERS	LS	1	\$33,000.00	\$33,000.00	1.00	\$33,000.00	1.00	\$33,000.00
4	TREE REMOVAL	EA	5	\$315.00	\$1,575.00	5.00	\$1,575.00	5.00	\$1,575.00
5	REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT	SY	1,500	\$4.00	\$6,000.00	1,510.00	\$6,040.00	1,510.00	\$6,040.00
6	REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT	SY	30	\$10.00	\$300.00	9.10	\$91.00	9.10	\$91.00
7	REMOVE AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER	LF	80	\$10.00	\$800.00	83.00	\$830.00	83.00	\$830.00
8	REMOVE AND DISPOSE OF EXISTING GUARDRAIL	LF	180	\$10.00	\$1,800.00	180.00	\$1,800.00	180.00	\$1,800.00
9	REMOVE AND DISPOSE OF EXISTING SANITARY SEWER PIPE	LF	1,770	\$4.00	\$7,080.00	1,767.00	\$7,068.00	1,767.00	\$7,068.00
10	REMOVE AND DISPOSE OF EXISTING STORM SEWER PIPE	LF	175	\$10.00	\$1,750.00	173.00	\$1,730.00	173.00	\$1,730.00
11	REMOVE AND DISPOSE OF EXISTING SANITARY SEWER MANHOLE	EA	7	\$500.00	\$3,500.00	7.00	\$3,500.00	7.00	\$3,500.00
12	REMOVE AND DISPOSE OF EXISTING EDGE DRAIN	LF	20	\$10.00	\$200.00	0.00	\$0.00	0.00	\$0.00
13	REMOVE AND DISPOSE OF EXISTING SIGN	EA	1	\$55.00	\$55.00	1.00	\$55.00	1.00	\$55.00
14	SALVAGE AND REINSTALL MAILBOX	EA	1	\$130.00	\$130.00	0.00	\$0.00	0.00	\$0.00
15	SALVAGE AND REINSTALL SIGN	EA	4	\$160.00	\$640.00	1.00	\$160.00	1.00	\$160.00
16	SAWING BITUMINOUS PAVEMENT	LF	1,300	\$2.50	\$3,250.00	1,469.00	\$3,672.50	1,469.00	\$3,672.50
17	CORE DRILL CONNECTION TO EXISTING STRUCTURE	EA	2	\$4,200.00	\$8,400.00	3.00	\$12,600.00	3.00	\$12,600.00
18	CONNECT TO EXISTING SANITARY SEWER SERVICE	EA	5	\$1,500.00	\$7,500.00	5.00	\$7,500.00	5.00	\$7,500.00
19	CONNECT EXISTING PIPE TO NEW MANHOLE	EA	2	\$1,605.00	\$3,210.00	2.00	\$3,210.00	2.00	\$3,210.00
20	15" PVC, SDR 35 SANITARY SEWER PIPE, 0' - 10' DEEP	LF	445	\$45.00	\$20,025.00	443.00	\$19,935.00	443.00	\$19,935.00
21	15" PVC, SDR 35 SANITARY SEWER PIPE, 10' - 15' DEEP	LF	920	\$46.00	\$42,320.00	920.00	\$42,320.00	920.00	\$42,320.00
22	15" PVC, SDR 35 SANITARY SEWER PIPE, 15' - 20' DEEP	LF	55	\$117.00	\$6,435.00	28.00	\$3,276.00	28.00	\$3,276.00
23	16" PVC, C900 SANITARY SEWER PIPE, 0' - 10' DEEP	LF	356	\$56.00	\$19,936.00	356.00	\$19,936.00	356.00	\$19,936.00
24	16" DIP, CL 50 SANITARY SEWER PIPE, 0' - 10' DEEP	LF	20	\$93.00	\$1,860.00	55.00	\$5,115.00	55.00	\$5,115.00
25	16" SANITARY SEWER OUTSIDE DROP	EA	1	\$3,317.00	\$3,317.00	1.00	\$3,317.00	1.00	\$3,317.00
26	15" X 6" WYE BRANCH	EA	5	\$1,025.00	\$5,125.00	5.00	\$5,125.00	5.00	\$5,125.00
27	4" DIAMETER SANITARY SEWER MANHOLE	EA	7	\$3,500.00	\$24,500.00	8.00	\$28,000.00	8.00	\$28,000.00
28	4" DIAMETER EXCESS MANHOLE DEPTH	VF	12	\$120.00	\$1,440.00	20.66	\$2,479.20	20.66	\$2,479.20
29	MANHOLE LINER	EA	1	\$4,200.00	\$4,200.00	0.80	\$3,360.00	0.80	\$3,360.00
30	REMOVAL OF UNSTABLE FOUNDATION MATERIAL	CY	50	\$20.00	\$1,000.00	50.00	\$1,000.00	50.00	\$1,000.00
31	ROCK FOUNDATION BORROW	CY	50	\$50.00	\$2,500.00	50.00	\$2,500.00	50.00	\$2,500.00
32	TELEVISION	LF	1,792	\$1.35	\$2,419.20	0.00	\$0.00	0.00	\$0.00
33	LIFT STATION	LS	1	\$350,000.00	\$350,000.00	0.90	\$315,000.00	0.90	\$315,000.00
34	STANDBY GENERATOR	LS	1	\$53,000.00	\$53,000.00	1.00	\$53,000.00	1.00	\$53,000.00
35	BYPASS PUMPING	LS	1	\$28,000.00	\$28,000.00	1.00	\$28,000.00	1.00	\$28,000.00
36	SALVAGE AND REINSTALL APRON	EA	3	\$750.00	\$2,250.00	3.00	\$2,250.00	3.00	\$2,250.00
37	SALVAGE AND REINSTALL STORM SEWER STRUCTURE	EA	2	\$1,650.00	\$3,300.00	2.00	\$3,300.00	2.00	\$3,300.00
38	SALVAGE AND REINSTALL STORM SEWER PIPE	LF	60	\$44.00	\$2,640.00	24.00	\$1,056.00	24.00	\$1,056.00
39	PERFORATED PVC EDGE DRAIN	LF	20	\$20.00	\$400.00	0.00	\$0.00	0.00	\$0.00
40	18" RCP STORM SEWER, CLASS V	LF	32	\$47.00	\$1,504.00	32.00	\$1,504.00	32.00	\$1,504.00
41	18" RCP FLARED END SECTION WITH TRASH GUARD	EA	2	\$1,064.00	\$2,128.00	2.00	\$2,128.00	2.00	\$2,128.00
42	18" CM DRIVEWAY CULVERT	LF	120	\$33.00	\$3,960.00	0.00	\$0.00	0.00	\$0.00
43	18" CM APRON	EA	4	\$350.00	\$1,400.00	0.00	\$0.00	0.00	\$0.00
44	RIPRAP CLASS III	CY	6	\$70.00	\$420.00	6.00	\$420.00	6.00	\$420.00
45	LIFT STATION SITE GRADING	LS	1	\$5,000.00	\$5,000.00	1.00	\$5,000.00	1.00	\$5,000.00
46	BITUMINOUS DRIVEWAY PAVEMENT (LIFT STATION)	SY	450	\$15.75	\$7,087.50	0.00	\$0.00	0.00	\$0.00
47	COMMON EXCAVATION (DRIVEWAY AND STREET PATCHES)	CY	450	\$35.00	\$15,750.00	562.21	\$19,677.35	562.21	\$19,677.35
48	GEOTEXTILE FOR ROAD STABILIZATION	SY	130	\$2.00	\$260.00	0.00	\$0.00	0.00	\$0.00
49	SELECT GRANULAR BORROW	CY	125	\$12.00	\$1,500.00	89.96	\$1,079.52	89.96	\$1,079.52
50	AGGREGATE BASE, CLASS 6	TON	700	\$20.00	\$14,000.00	1,125.59	\$22,511.80	1,125.59	\$22,511.80
51	TYPE SP 9.5 BITUMINOUS WEARING COURSE MIXTURE (2,B)	TON	450	\$89.00	\$40,050.00	0.00	\$0.00	0.00	\$0.00
52	B618 CONCRETE CURB AND GUTTER	LF	80	\$37.00	\$2,960.00	83.00	\$3,071.00	83.00	\$3,071.00
53	4" CONCRETE MEDIAN	SF	130	\$10.50	\$1,365.00	62.00	\$651.00	62.00	\$651.00
54	6" CONCRETE PEDESTRIAN RAMP	EA	1	\$800.00	\$800.00	0.25	\$200.00	0.25	\$200.00
55	TRUNCATED DOME PANELS	SF	12	\$51.00	\$612.00	0.00	\$0.00	0.00	\$0.00
56	ADJUST MANHOLE CASTING	EA	1	\$500.00	\$500.00	0.00	\$0.00	0.00	\$0.00
57	ADJUST GATE VALVE BOX	EA	1	\$350.00	\$350.00	0.00	\$0.00	0.00	\$0.00
58	HYDRANT EXTENSION	EA	1	\$1,000.00	\$1,000.00	1.00	\$1,000.00	1.00	\$1,000.00
59	EXTEND VALVE BOX	LF	1	\$360.00	\$360.00	1.00	\$360.00	1.00	\$360.00
60	SIGN PANEL, TYPE C	SF	9	\$55.00	\$495.00	0.00	\$0.00	0.00	\$0.00
61	OFF ROAD STRUCTURE MARKER	EA	6	\$100.00	\$600.00	0.00	\$0.00	0.00	\$0.00
62	4" SOLID LINE WHITE EPOXY	LF	1,000	\$1.26	\$1,260.00	0.00	\$0.00	0.00	\$0.00
63	PAVEMENT MESSAGE, RIGHT TURN ARROW THERMOPLASTIC (GROUND IN)	EA	2	\$500.00	\$1,000.00	0.00	\$0.00	0.00	\$0.00
64	STREET SWEEPING	HR	5	\$140.00	\$700.00	0.00	\$0.00	0.00	\$0.00
65	EROSION CONTROL BLANKET	SY	6,600	\$1.74	\$11,484.00	0.00	\$0.00	0.00	\$0.00
66	TEMPORARY HYDROMULCH	SY	100	\$2.60	\$260.00	0.00	\$0.00	0.00	\$0.00
67	SEEDING	AC	1.3	\$210.00	\$273.00	0.00	\$0.00	0.00	\$0.00
68	INLET PROTECTION	EA	5	\$180.00	\$900.00	0.00	\$0.00	0.00	\$0.00
69	DITCH CHECK	EA	7	\$52.00	\$364.00	0.00	\$0.00	0.00	\$0.00
70	SILT FENCE	LF	200	\$3.15	\$630.00	0.00	\$0.00	0.00	\$0.00
SUBTOTAL - DIVISION 1 SANITARY SEWER					\$809,129.70	\$715,073.37	\$715,073.37		
<b>TOTALS - BASE CONTRACT</b>					<b>\$809,129.70</b>	<b>\$715,073.37</b>	<b>\$715,073.37</b>		
<b>CHANGE ORDER NO. 1</b>									
CO1-1	REVISE PUMP DESIGN	EA	3	\$5,951.24	\$17,853.72	3	\$17,853.72	3	\$17,853.72
<b>TOTALS - CHANGE ORDER NO. 1</b>					<b>\$17,853.72</b>	<b>\$17,853.72</b>	<b>\$17,853.72</b>		
<b>TOTALS - REVISED CONTRACT</b>					<b>\$826,983.42</b>	<b>\$732,927.09</b>	<b>\$732,927.09</b>		



## STAFF REPORT

DATE: November 21, 2017  
CONSENT #8

**AGENDA ITEM:** Old Village Phase 3: Street, Drainage and Utility Improvements – Pay Request No. 5

**SUBMITTED BY:** Chad Isakson, Project Engineer

**REVIEWED BY:** Kristina Handt, City Administrator  
Jack Griffin, City Engineer

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**ISSUE BEFORE COUNCIL:** Should the City Council approve Pay Request No. 5 for the Old Village Phase 3: Street, Drainage and Utility Improvements?

**BACKGROUND:** Douglas-Kerr Underground, LLC was awarded a construction contract on May 16, 2017 to complete the Old Village Phase 4: Street, Drainage and Utility Improvements.

**PROPOSAL DETAILS/ANALYSIS:** Douglas-Kerr Underground, LLC, has submitted Partial Pay Request No. 5 in the amount of \$335,189.56. 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 \$68,946.42.

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

**RECOMMENDATION:** Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Pay Request No. 5 for the Old Village Phase 3: Street, Drainage and Utility Improvements project. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve Pay Request No. 5 to Douglas-Kerr Underground, LLC in the amount of \$335,189.56 for the Old Village Phase 3: Street, Drainage and Utility Improvements project”.***

**ATTACHMENTS:**

1. Partial Pay Estimate No. 5.

**PROJECT PAY FORM**

PARTIAL PAY ESTIMATE NO. <u>5</u>	<b>FOCUS</b> ENGINEERING, inc.
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OLD VILLAGE PHASE 3 IMPROVEMENTS PROJECT NO. 2016.133	PERIOD OF ESTIMATE FROM <u>10/1/2017</u> TO <u>10/31/2017</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: DOUGLAS-KERR UNDERGROUND, LLC 2142 330TH AVE MORA, MN 55051 ATTN: DENNY DOUGLAS
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	7/5/2017		\$16,586.70	1. Original Contract Amount	\$1,576,039.15
2	9/5/2017	\$10,085.50		2. Net Change Order Sum	\$2,514.87
3	10/17/2017	\$9,016.07		3. Revised Contract (1+2)	\$1,578,554.02
				4. *Work Completed	\$1,378,928.36
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$1,378,928.36
				7. Retainage* <u>5.0%</u>	\$68,946.42
				8. Previous Payments	\$974,792.38
TOTALS		\$19,101.57	\$16,586.70	9. Amount Due (6-7-8)	\$335,189.56
NET CHANGE		\$2,514.87		*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE:	<u>5/16/2017</u>	ORIGINAL DAYS	<u>410</u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u>10/20/2017</u>	REVISED DAYS	<u>0</u>	YES	<input type="checkbox"/>
FINAL COMPLETION:	<u>6/30/2018</u>	REMAINING	<u>242</u>	NO	<input checked="" 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>11/8/2017</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 <u>11/8/17</u> _____ DATE
--	--

APPROVED BY OWNER: <b>CITY OF LAKE ELMO, MINNESOTA</b>	
BY _____	BY _____
DATE _____	DATE _____





ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
79	Connect to Existing Water Service	EACH	34	\$382.35	\$12,999.90	5.00	\$1,911.75	32.00	\$12,235.20
80	Hydrant	EACH	8	\$4,199.10	\$33,592.80	0.00	\$0.00	11.00	\$46,190.10
81	6" Gate Valve & Box	EACH	14	\$1,586.10	\$22,205.40	0.00	\$0.00	15.00	\$23,791.50
82	8" Gate Valve & Box	EACH	8	\$2,036.45	\$16,291.60	0.00	\$0.00	8.00	\$16,291.60
83	16" Butterfly Valve & Box	EACH	4	\$3,023.65	\$12,094.60	0.00	\$0.00	4.00	\$12,094.60
84	1" Type K Copper Pipe	LF	1095	\$9.20	\$10,074.00	291.00	\$2,677.20	1,181.00	\$10,865.20
85	2" Type K Copper Pipe	LF	90	\$22.95	\$2,065.50	0.00	\$0.00	60.00	\$1,377.00
86	6" Water Main DIP - CL 52 (Poly Encased)	LF	394	\$24.45	\$9,633.30	0.00	\$0.00	267.00	\$6,528.15
87	8" Water Main DIP - CL 52 (Poly Encased)	LF	2424	\$32.30	\$78,295.20	0.00	\$0.00	2,441.00	\$78,844.30
88	16" Water Main DIP - CL 52 (Poly Encased)	LF	892	\$60.95	\$54,367.40	0.00	\$0.00	892.00	\$54,367.40
89	Water Main Fittings	LB	3606	\$3.25	\$11,719.50	0.00	\$0.00	3,726.00	\$12,109.50
90	Random Rip-Rap, Class III (includes Geotextile Fabric)	CY	40	\$115.00	\$4,600.00	5.00	\$575.00	33.00	\$3,795.00
91	5" Concrete Walk	SF	5100	\$4.90	\$24,990.00	0.00	\$0.00	5,083.00	\$24,906.70
92	6" Concrete Walk - Pedestrian Ramp	SF	480	\$6.10	\$2,928.00	0.00	\$0.00	709.90	\$4,330.39
93	B612 Concrete Curb & Gutter	LF	365	\$19.00	\$6,935.00	0.00	\$0.00	159.50	\$3,030.50
94	B618 Concrete Curb & Gutter	LF	5525	\$12.25	\$67,681.25	3,650.00	\$44,712.50	5,518.00	\$67,595.50
95	6" Concrete Driveway Pavement	SY	300	\$47.75	\$14,325.00	421.30	\$20,117.08	421.30	\$20,117.08
96	8" Concrete Driveway Pavement	SY	125	\$55.75	\$6,968.75	0.00	\$0.00	108.80	\$6,065.60
97	Truncated Domes	SF	72	\$30.00	\$2,160.00	0.00	\$0.00	92.50	\$2,775.00
98	Traffic Control	LS	1	\$2,300.00	\$2,300.00	0.00	\$0.00	0.00	\$0.00
99	Sign Panels, Type C	SF	21	\$43.50	\$913.50	21.00	\$913.50	21.00	\$913.50
100	Sign, Type Special (Street Name)	EACH	3	\$495.00	\$1,485.00	1.00	\$495.00	1.00	\$495.00
101	Silt Fence, Preassembled	LF	2400	\$1.25	\$3,000.00	0.00	\$0.00	715.00	\$893.75
102	Storm Drain Inlet Protection	EACH	23	\$125.00	\$2,875.00	11.00	\$1,375.00	30.00	\$3,750.00
103	Filter Topsoil Borrow (Pulverized) (LV)	CY	125	\$39.50	\$4,937.50	0.00	\$0.00	0.00	\$0.00
104	Common Topsoil Borrow (Pulverized) (LV)	CY	1500	\$24.75	\$37,125.00	0.00	\$0.00	178.33	\$4,413.67
105	Sodding, Type Mineral	SY	6300	\$5.25	\$33,075.00	5,190.00	\$27,247.50	5,190.00	\$27,247.50
106	Seeding (Seed Mixture Type 25-131)	ACRE	2	\$1,108.00	\$2,216.00	0.00	\$0.00	0.00	\$0.00
107	Seeding (Seed Mixture Type Basin)	ACRE	0.2	\$777.00	\$155.40	0.00	\$0.00	0.00	\$0.00
108	Erosion Control Blanket Category 3N	SY	2400	\$1.35	\$3,240.00	100.00	\$135.00	2,200.00	\$2,970.00
109	Sediment Control Log	LF	800	\$2.10	\$1,680.00	0.00	\$0.00	160.00	\$336.00
110	6" Wide Agg. Lime Walking Trail	LF	700	\$15.50	\$10,850.00	0.00	\$0.00	630.00	\$9,765.00
111	Temporary Rock Construction Entrance	EACH	4	\$1,400.00	\$5,600.00	0.00	\$0.00	0.00	\$0.00
SUBTOTAL - DIVISION 1					\$1,576,039.15		\$343,815.04		\$1,342,876.39

**TOTALS - BASE CONTRACT** **\$1,576,039.15** **\$343,815.04** **\$1,342,876.39**

**CHANGE ORDER NO. 1**

CO1-1	REMOVE INFILTRATION BASIN EXCAVATION (EV)	CY	-467.0	\$32.50	-\$15,177.50	0.00	\$0.00	0.0	\$0.00
CO1-2	REMOVE 15" RC PIPE APRON W/TRASH GUARD	EACH	-1.0	\$1,024.05	-\$1,024.05	0.00	\$0.00	0.0	\$0.00
CO1-3	REMOVE 21" RC PIPE APRON W/TRASH GUARD	EACH	-1.0	\$1,470.00	-\$1,470.00	0.00	\$0.00	0.0	\$0.00
CO1-4	REMOVE INFILTRATION BASIN UNDERDRAIN SYSTEM	LF	-410.0	\$0.01	-\$4.10	0.00	\$0.00	0.0	\$0.00
CO1-5	REMOVE FILTER TOPSOIL BORROW (PULVERIZED) (LV)	CY	-125.0	\$39.50	-\$4,937.50	0.00	\$0.00	0.0	\$0.00
CO1-6	8" C900 PIPE SEWER	LF	230.0	\$68.90	\$15,847.00	0.00	\$0.00	236.0	\$16,260.40
CO1-7	8"x6" C900 WYE	EACH	3.0	\$1,299.50	\$3,898.50	0.00	\$0.00	3.0	\$3,898.50
CO1-8	REMOVE 8"x6" PVC WYE, SDR 26	EACH	-3.0	\$1,004.55	-\$3,013.65	0.00	\$0.00	0.0	\$0.00
CO1-9	REMOVE 6" CLEAN-OUT ASSEMBLY (SCH 40)	EACH	-4.0	\$324.60	-\$1,298.40	0.00	\$0.00	0.0	\$0.00
CO1-10	REMOVE 6" PVC SANITARY SERVICE PIPE - SCH 40	LF	-460.0	\$20.45	-\$9,407.00	0.00	\$0.00	0.0	\$0.00
<b>TOTALS - CHANGE ORDER NO. 1</b>					<b>-\$16,586.70</b>		<b>\$0.00</b>		<b>\$20,158.90</b>

**CHANGE ORDER NO. 2**

CO2-1	BONDED FIBER MATRIX MULCH	AC	2.0	\$3,450.00	\$6,900.00	0.00	\$0.00	1.07	\$3,691.50
CO2-2	REMOVE SHED	LS	1.0	\$650.00	\$650.00	0.00	\$0.00	1.0	\$650.00
CO2-3	MULCH	CY	20.0	\$88.00	\$1,760.00	0.00	\$0.00	20.0	\$1,760.00
CO2-4	BLACK VINYL COATED FENCE	LF	15.0	\$51.70	\$775.50	0.00	\$0.00	15.0	\$775.50
<b>TOTALS - CHANGE ORDER NO. 2</b>					<b>\$10,085.50</b>		<b>\$0.00</b>		<b>\$6,877.00</b>

**CHANGE ORDER NO. 3**

CO3-1	CONTRACTOR CREW TIME	HR	9.0	\$900.00	\$8,100.00	9.00	\$8,100.00	9.00	\$8,100.00
CO3-2	SERVICE PIPE MATERIALS	LS	1.0	\$391.15	\$391.15	1.00	\$391.15	1.0	\$391.15
CO3-3	HYDRANT EXTENSION	EA	1.0	\$524.92	\$524.92	1.00	\$524.92	1.0	\$524.92
<b>TOTALS - CHANGE ORDER NO. 3</b>					<b>\$9,016.07</b>		<b>\$9,016.07</b>		<b>\$9,016.07</b>

**TOTALS - REVISED CONTRACT** **\$1,578,554.02** **\$352,831.11** **\$1,378,928.36**



## STAFF REPORT

DATE: November 21, 2017  
CONSENT #9

**AGENDA ITEM:** 2017 Street Improvements – Pay Request No. 4

**SUBMITTED BY:** Chad Isakson, Project Engineer

**REVIEWED BY:** Kristina Handt, City Administrator  
Jack Griffin, City Engineer

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**ISSUE BEFORE COUNCIL:** Should the City Council approve Pay Request No. 4 for the 2017 Street Improvements?

**BACKGROUND:** Hardrives, Inc. was awarded a construction contract on May 16, 2017 to complete the 2017 Street Improvements project.

**PROPOSAL DETAILS/ANALYSIS:** Hardrives, Inc., has submitted Partial Pay Request No. 4 in the amount of \$240,289.56. 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 \$49,260.93.

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

**RECOMMENDATION:** Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Pay Request No. 4 for the 2017 Street Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

*“Move to approve Pay Request No. 4 to Hardrives, Inc. in the amount of \$240,289.56 for the 2017 Street Improvements project”.*

**ATTACHMENTS:**

1. Partial Pay Estimate No. 4.

**PROJECT PAY FORM**

PARTIAL PAY ESTIMATE NO. <u>4</u>	<b>FOCUS</b> ENGINEERING, inc.
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2017 STREET IMPROVEMENTS PROJECT NO. 2016.135	PERIOD OF ESTIMATE FROM <u>9/1/2017</u> TO <u>10/31/2017</u>
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PROJECT OWNER: <b>CITY OF LAKE ELMO</b> 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER	CONTRACTOR: <b>HARDRIVES, INC.</b> 14475 QUIRAM DRIVE ROGERS, MN 55374 ATTN: NATHAN LINDBERG, PROJECT MANAGER
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	8/1/2017	\$15,742.25		1. Original Contract Amount	\$1,038,206.14
2	9/19/2017	\$12,169.96		2. Net Change Order Sum	\$27,912.21
TOTALS		\$27,912.21	\$0.00	3. Revised Contract (1+2)	\$1,066,118.35
NET CHANGE		\$27,912.21		4. *Work Completed	\$985,218.62
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$985,218.62
				7. Retainage* <u>5.0%</u>	\$49,260.93
				8. Previous Payments	\$695,668.13
				9. Amount Due (6-7-8)	<b>\$240,289.56</b>

*\*Detailed Breakdown Attached*

CONTRACT TIME					
START DATE:	<u>6/12/2017</u>	ORIGINAL DAYS	<u>137</u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u>9/22/2017</u>	REVISED DAYS	<u>0</u>	YES	<input type="checkbox"/>
FINAL COMPLETION:	<u>10/27/2017</u>	REMAINING	<u>-4</u>	NO	<input checked="" 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>11/13/2017</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 <u>11/14/17</u> _____ DATE
--	---

APPROVED BY OWNER: <b>CITY OF LAKE ELMO, MINNESOTA</b>	
BY _____	BY _____
DATE _____	DATE _____

**2017 STREET IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
PROJECT NO. 2016.135**



ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
<b>DIVISION 1 - GENERAL</b>									
1	MOBILIZATION	LS	1	\$4,226.26	\$4,226.26	0.00	\$0.00	1.00	\$4,226.26
2	TRAFFIC CONTROL	LS	1	\$1,890.12	\$1,890.12	0.00	\$0.00	1.00	\$1,890.12
3	SILT FENCE	LF	180	\$2.63	\$473.40	0.00	\$0.00	220.00	\$578.60
4	INLET PROTECTION	EA	39	\$90.00	\$3,510.00	1.00	\$90.00	37.00	\$3,330.00
5	CLEAR TREE	EA	11	\$231.01	\$2,541.11	0.00	\$0.00	15.00	\$3,465.15
6	GRUB TREE	EA	11	\$126.01	\$1,386.11	0.00	\$0.00	15.00	\$1,890.15
7	IMPORT AND PLACE TOPSOIL BORROW	CY	2,080	\$10.00	\$20,800.00	0.00	\$0.00	0.00	\$0.00
8	SODDING	SY	10,330	\$4.40	\$45,452.00	7,175.00	\$31,570.00	7,175.00	\$31,570.00
9	SEED, MULCH, & FERTILIZER	SY	2,140	\$1.95	\$4,173.00	2,851.00	\$5,559.45	2,851.00	\$5,559.45
10	REINSTALL PROPERTY CORNER	EA	10	\$472.53	\$4,725.30	0.00	\$0.00	0.00	\$0.00
<b>SUBTOTAL - DIVISION 1</b>					\$89,177.30		\$37,219.45		\$52,509.73
<b>DIVISION 2 - STORM SEWER IMPROVEMENTS</b>									
1	REMOVE & DISPOSE OF EXISTING STORM SEWER (ALL SIZES AND TYPES, INCL. END SECT	LF	281	\$5.25	\$1,475.25	0.00	\$0.00	273.00	\$1,433.25
2	REMOVE & DISPOSE OF EXISTING STORM SEWER STRUCTURE	EA	12	\$420.02	\$5,040.24	0.00	\$0.00	13.00	\$5,460.26
3	REMOVE & DISPOSE OF ENERGY DISSIPATION STRUCTURE	EA	1	\$420.02	\$420.02	0.00	\$0.00	1.00	\$420.02
4	REMOVE CATCH BASIN CASTING	EA	13	\$159.82	\$2,077.66	0.00	\$0.00	13.00	\$2,077.66
5	R-3067 CATCH BASIN CASTING	EA	13	\$659.11	\$8,568.43	0.00	\$0.00	13.00	\$8,568.43
6	12" RCP STORM SEWER PIPE	LF	66	\$31.50	\$2,079.00	0.00	\$0.00	98.00	\$3,087.00
7	15" RCP STORM SEWER PIPE	LF	1,773	\$32.55	\$57,711.15	0.00	\$0.00	1,772.00	\$57,678.60
8	18" RCP STORM SEWER PIPE	LF	20	\$60.90	\$1,218.00	0.00	\$0.00	16.00	\$974.40
9	15" FLARED END SECTION	EA	5	\$945.06	\$4,725.30	0.00	\$0.00	4.00	\$3,780.24
10	18" FLARED END SECTION	EA	1	\$2,205.12	\$2,205.12	0.00	\$0.00	1.00	\$2,205.12
11	CATCH BASIN TYPE 404	EA	4	\$1,732.60	\$6,930.40	0.00	\$0.00	6.00	\$10,395.60
12	CATCH BASIN/MANHOLE TYPE 406	EA	17	\$2,058.11	\$34,987.87	0.00	\$0.00	18.00	\$37,045.98
13	RIP RAP INCL. GEOTEXTILE	CY	39	\$89.25	\$3,480.75	0.00	\$0.00	38.30	\$3,418.28
14	GRADE TO DRAIN	LF	220	\$17.85	\$3,927.00	50.00	\$892.50	335.00	\$5,979.75
<b>SUBTOTAL - DIVISION 2</b>					\$134,846.19		\$892.50		\$142,524.59
<b>DIVISION 3 - STREET IMPROVEMENTS</b>									
1	SAWCUT BITUMINOUS OR CONCRETE	LF	310	\$1.00	\$310.00	0.00	\$0.00	310.00	\$310.00
2	REMOVE & DISPOSE OF EXISTING CONCRETE CURB AND GUTTER, ALL TYPES	LF	130	\$1.65	\$214.50	0.00	\$0.00	161.00	\$265.65
3	REMOVE & DISPOSE OF EXISTING BITUMINOUS PAVEMENT (DRIVEWAY)	SY	680	\$4.12	\$2,801.60	0.00	\$0.00	630.00	\$2,595.60
4	REMOVE & DISPOSE OF EXISTING CONCRETE PAVEMENT (DRIVEWAY)	SY	220	\$7.49	\$1,647.80	0.00	\$0.00	196.00	\$1,468.04
5	RECLAIM EXISTING BITUMINOUS AND BASE MATERIALS (8" DEPTH INCL. BIT. CURB) (P)	SY	41,776	\$1.35	\$56,397.60	0.00	\$0.00	41,776.00	\$56,397.60
6	HAUL OUT EXCESS RECLAIMED MATERIAL (LV)	CY	4,062	\$9.47	\$38,467.14	0.00	\$0.00	3,721.00	\$35,237.87
7	2' AGGREGATE SHOULDERING	LF	3,174	\$1.01	\$3,205.74	0.00	\$0.00	0.00	\$0.00
8	SUBGRADE CORRECTION	CY	370	\$0.01	\$3.70	0.00	\$0.00	349.00	\$3.49
9	SUBGRADE PREPARATION OF RECLAIMED SURFACE (P)	RS	121	\$250.00	\$30,250.00	0.00	\$0.00	121.00	\$30,250.00
10	BITUMINOUS DRIVEWAY PAVEMENT	SY	893	\$18.00	\$16,074.00	630.00	\$11,340.00	630.00	\$11,340.00
11	BITUMINOUS NON-WEARING COURSE	TN	4,380	\$48.75	\$213,525.00	387.75	\$18,902.81	4,127.71	\$201,225.86
12	BITUMINOUS WEARING COURSE	TN	3,290	\$51.45	\$169,270.50	2,837.39	\$145,983.72	2,837.39	\$145,983.72
13	BITUMINOUS MATERIAL FOR TACK COAT	GAL	2,020	\$1.25	\$2,525.00	0.00	\$0.00	200.00	\$250.00
14	SAW AND SEAL STREET (40' INTERVALS)	LF	9,560	\$2.60	\$24,856.00	9,560.00	\$24,856.00	9,560.00	\$24,856.00
15	CONCRETE CURB AND GUTTER, ALL TYPES	LF	20,997	\$10.25	\$215,219.25	0.00	\$0.00	20,939.00	\$214,624.75
16	6" CONCRETE FLUME (ALL TYPES)	EA	3	\$523.98	\$1,571.94	3.00	\$1,571.94	3.00	\$1,571.94
17	6" CONCRETE DRIVEWAY PAVEMENT	SY	220	\$50.61	\$11,134.20	0.00	\$0.00	222.78	\$11,274.90
18	4" PERFORATED PVC EDGE DRAIN	LF	2,000	\$9.60	\$19,200.00	0.00	\$0.00	1,830.00	\$17,568.00
19	DRAINTILE CLEANOUT	EA	20	\$230.00	\$4,600.00	0.00	\$0.00	18.00	\$4,140.00
20	MANHOLE UPPER SECTION REHABILITATION	EA	2	\$1,454.34	\$2,908.68	0.00	\$0.00	2.00	\$2,908.68
<b>SUBTOTAL - DIVISION 3</b>					\$814,182.65		\$202,654.47		\$762,272.09

**TOTALS - BASE CONTRACT** **\$1,038,206.14** **\$240,766.42** **\$957,306.41**

**CHANGE ORDER NO. 1**

CO1-1	MOBILIZATION	LS	1.0	\$2,400.00	\$2,400.00	0.00	\$0.00	1.0	\$2,400.00
CO1-2	REMOVE STORM SEWER	LF	54.0	\$5.25	\$283.50	0.00	\$0.00	54.0	\$283.50
CO1-3	18-INCH RCP STORM SEWER	LF	54.0	\$60.90	\$3,288.60	0.00	\$0.00	54.0	\$3,288.60
CO1-4	18-INCH FES W/ TRASHGUARD	EA	1.0	\$2,205.15	\$2,205.15	0.00	\$0.00	1.0	\$2,205.15
CO1-5	CONNECT TO EXISTING STRUCTURE	EA	1.0	\$700.00	\$700.00	0.00	\$0.00	1.0	\$700.00
CO1-6	CULVERT 305-1 EXTENSION	LS	1.0	\$3,150.00	\$3,150.00	0.00	\$0.00	1.0	\$3,150.00
CO1-7	CULVERT 306-1 EXTENSION	LS	1.0	\$3,715.00	\$3,715.00	0.00	\$0.00	1.0	\$3,715.00

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
<b>TOTALS - CHANGE ORDER NO. 1</b>					\$15,742.25		\$0.00		\$15,742.25
<b>TOTALS - REVISED CONTRACT</b>									
CO2-1	CONCRETE CURB STRING LINE ADJUSTMENTS	HR	64.0	\$90.64	\$5,800.96	64.00	\$5,800.96	64.0	\$5,800.96
CO2-2	CONCRETE VALLEY GUTTER	SF	300.0	\$6.88	\$2,064.00	300.00	\$2,064.00	300.0	\$2,064.00
CO2-3	STOCKPILE EXCESS RECLAIM AT PUBLIC WORKS	HR	20.5	\$210.00	\$4,305.00	20.50	\$4,305.00	20.5	\$4,305.00
<b>0</b>					\$12,169.96		\$12,169.96		\$12,169.96
<b>TOTALS - REVISED CONTRACT</b>					<b>\$1,066,118.35</b>	<b>\$252,936.38</b>	<b>\$985,218.62</b>		



## STAFF REPORT

DATE: November 21, 2017

**CONSENT**

ITEM #: 10

**AGENDA ITEM:** Accept resignation of Miles Johnson  
**SUBMITTED BY:** Jake Foster, Assistant City Administrator

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**BACKGROUND:**

Building Inspector, Miles Johnson submitted his resignation on November 7th. His last day with the City will be November 21<sup>st</sup>. Staff will be reevaluating options for filling the position and will bring a request back to the Council at a later date.

**ISSUE BEFORE COUNCIL:**

Should the Council accept Miles Johnson's resignation?

**PROPOSAL:**

Staff recommends accepting Miles Johnson's resignation.

**RECOMMENDATION:**

If removed from the consent agenda:

*“Move to accept Miles Johnson's resignation.”*

**ATTACHMENTS:** None



## STAFF REPORT

DATE: November 21, 2017  
CONSENT  
ITEM #: 11

**AGENDA ITEM:** Finance Committee Appointments

**SUBMITTED BY:** Kristina Handt, City Administrator

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**BACKGROUND:**

As has been our practice this year, staff is presenting an application for appointment to the Finance Committee

**ISSUE BEFORE COUNCIL:**

Should the Council appoint Thomas Wall to the Finance Committee?

**PROPOSAL:**

Council members were emailed a copy of Mr. Wall's application and resume. He is open to serving on any committee. Staff spoke with him about serving on the Finance Committee where there is currently the greatest need for membership and he is willing to accept that position if approved.

**FISCAL IMPACT:**

NA

**OPTIONS:**

- 1) Appoint Thomas Wall to the Finance Committee
- 2) Appoint Thomas Wall to the Human Resources Committee
- 3) Do not make an appointment at this time

**RECOMMENDATION:**

*“Motion to appoint Thomas Wall to the Finance Committee”*

**ATTACHMENTS:**

- None



## STAFF REPORT

DATE: November 21, 2017  
CONSENT #12

**AGENDA ITEM:** Approve 2018 Liquor License Renewals  
**TO:** Mayor and City Council  
**SUBMITTED BY:** Julie Johnson, City Clerk

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**BACKGROUND:** According to State Statute and City Code, each year, all Liquor Licenses must be renewed. All renewals are contingent upon approval by the Washington County Sheriff's Department and review by the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement.

**ISSUE BEFORE COUNCIL:**  
Should Council approve the requested license renewals?

**PROPOSAL:** The City has received liquor license renewal applications for 2018 from the following establishments:

- Kwik Trip
- Lake Elmo Inn
- Lake Elmo Inn Event Center
- Machine Shed
- T&B Given, Inc. (Royal Golf)
- Twin Point Tavern
- Village Wine and Spirits

The appropriate fees have been paid and all required documentation has been provided. Staff is not aware of any violations at any of the aforementioned establishments.

**FISCAL IMPACT:**  
Renewal fee for each license been received totaling \$5,850.

**OPTIONS:**

- 1) Approve license renewals
- 2) Deny license renewals

**RECOMMENDATION:**  
If removed from Consent Agenda:

***“Motion to approve 2018 Liquor License Renewals as presented.”***





## STAFF REPORT

DATE: 11/21/17

CONSENT

AGENDA ITEM #: 13

**TO:** City Council

**FROM:** Emily Becker, Planning Director

**ITEM:** Lake Elmo Sod Farm Interim Use Permit

**REVIEWED BY:** Ben Prchal, City Planner

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### **BACKGROUND:**

The Lake Elmo Sod Farm has submitted an application for an Interim Use Permit (IUP) to continue operation of a seasonal sales lot from which to sell Christmas Trees that are grown off-site at the property located at 456 Manning Avenue North.

### **ISSUE BEFORE COUNCIL:**

The Council is being asked to review the request by Lake Elmo Sod Farm for the property located at 456 Manning Avenue North for the continued operation of a seasonal sales lot from which to sell Christmas Trees that are grown off-site.

### **REVIEW/ANALYSIS:**

- *Property Owner:* Yik Chi Lo Living Trs, 6422 Crackleberry Trl, Woodbury, MN 55129
- *Applicant:* John Myhra, PO Box 216, Lake Elmo, MN 55042
- *Location:* West of Manning Avenue, one parcel in north of I-94 and three parcels in south of 10<sup>th</sup> Street.
- *Current Site Area:* 39.38 acres
- *Land Use Guidance:* Urban High Density Residential
- *Zoning:* Rural Development Transitional
- *Surrounding Land Use Guidance:* Commercial Mixed Use to the South, Urban High Density Residential to the North, Urban High Density Residential to the West.
- *Applicable Regulations:* 154.107: Interim Use Permits; 154.401: Permitted, Conditional, and Interim Uses [within the Rural Districts]; 154.913: Agricultural Sales Businesses

**History.** Lake Elmo Sod Farm has been in operation for over 25 years, and Staff is not aware of any significant issues of problems that have arisen regarding this operation. The property was first issued an Interim Use Permit in 2011 by Resolution 2011-053, but that Interim Use Permit expired as of January 1, 2017.

**Need for New Interim Use Permit.** Active Interim Use Permits may only be renewed only if the Director of Planning receives an application for and approves a 1-time 30-day extension to continue the processing of the renewal application. The renewal process involves mailings to property owners within 350 feet, and, if no objection is received within 10 days of said mailings, Council may adopt a

resolution of approval outlining the conditions and stipulations of the renewal. The Council, at its discretion may approve or deny the renewal request with findings.

The City received this IUP renewal application on October 13, 2017, well after the IUP issued in 2011 expired. Therefore, the Applicant must follow the same process required as a new application.

**Standards for Agricultural Sales Business as an Interim Use.** Agricultural Sales Businesses are allowed as upon the issuance of an interim use permit in Agricultural and Rural areas that are guided for rural agricultural density or future sewer development in accordance with the Comprehensive Plan. The property is currently zoned Rural Development Transitional Agricultural sales businesses are subject to the performance standards as outlined below. Staff has provided comment on how these criteria have been met.

*A. Activities shall be limited to those listed within the definition for Agricultural Sales Business.*

- The definition of Agricultural Sales Business as per the Zoning Code is as follows:  
*“Agricultural Sales Business.* The retail sale of fresh fruits, vegetables, flowers, herbs, trees, or other agricultural, floricultural, or horticultural products. The operation may be indoors or outdoors, include pick-your-own or cut-your-own opportunities, and may involve the ancillary sale of items considered accessory to the agricultural products being sold or accessory sales of unprocessed foodstuffs; home processed food products such as jams, jellies, pickles, sauces; or baked goods and homemade handicrafts. The floor area devoted to the sale of accessory items shall not exceed 25% of the total floor area. No commercially packaged handicrafts or commercially processed or packaged foodstuffs shall be sold as accessory items. No activities other than the sale of goods as outlined above shall be allowed as part of the agricultural sales business.”

The definition clearly states that the retail of trees is allowed, and so Staff has found that this criteria has been met.

*B. The agricultural sales business shall be located on land owned or leased by the producer or the operator of the business, and not within or on any public right-of-ways or easements.*

- The Applicant leases land from the property owner.

*C. The operator must be able to demonstrate at all times to the city that there is sufficient access, parking and maneuvering space, that the location and adequacy of approaches are sufficient, that there is suitable and safe access for pedestrians, and that customer parking is away from the travel way and in close proximity to the agricultural sales business.*

- This was a condition of approval for the initially granted IUP, and it is a recommended condition of approval for the new Interim Use Permit.

*D. All waste materials shall be enclosed in containers provided on the site, and shall not generate any nuisance impacts on adjacent properties.*

- This was a condition of approval for the initially granted IUP, and it is a recommended condition of approval for the new Interim Use Permit.

*E. All sidewalks, roadways, and parking areas shall be treated as necessary to eliminate dust nuisance impacts on adjacent properties.*

- This was a condition of approval for the initially granted IUP, and it is a recommended condition of approval for the new Interim Use Permit.

*F. The maximum gross floor area that can be devoted to sales activities is limited to 20,000 square feet.*

- The Christmas Tree sales office is located within an existing building approximately 3,200 square feet in size. Since all sales are conducted in an outside lot, the applicant will fall well below the maximum allowed building size for the sales activity.

*G. Parking shall be provided in accordance with the parking requirements for other commercial uses, as per § 154.051(C). All parking must occur on-site, be on a primary surface such as class 5 gravel or pavement: and must be set back at least 30 feet from all property lines.*

- Staff finds this criteria is met. Although parking stalls are not delimited on the site plan or marked on the property, there is room for a least 20 cars in front of the office, and room for many more on the driveway and around other outbuildings surrounding the lot.

*H. The minimum lot size shall be 40 acres for any agricultural sales business.*

- Because minimum lot size requirements in Agricultural zones can include right-of-way areas, this standard is met by the applicant.

*I. On-site wastewater handling system shall be planned and designed by a licensed professional and approved by the city or its designated responsible authority. Usable primary and alternate well and septic sites sized for the maximum anticipated usage of the property shall be identified on the property. Alternate sites shall be protected in the site plan design, and will only need to be used upon failure of a primary site.*

- The proposed Christmas Tree sales lot will not impact the existing well or septic systems on the site since no bathrooms are available for public use.

*J. Any structures constructed for the agricultural sales business shall be consistent on design and appearance with other agricultural buildings in the area.*

- The applicant is not proposing any additional buildings at this time. Staff finds this criteria is met.

*K. Trip generation shall be limited to the yearly average daily trips calculated for the underlying zoning, with no daily trip generation to exceed twice the daily calculation rate for the underlying zoning. The base daily trip generation is established at 180 vehicle trips per day for even 40 acres.*

- The Christmas Tree sales lot will fall well under the maximum trip generation required under the code.

*L. The maximum impervious coverage for the buildings, parking areas and other uses devoted to the agricultural sales business shall not exceed 40,000 square feet and the remainder shall be suitably landscaped.*

- The maximum area devoted to Christmas Tree sales is under 20,000 square feet, and will therefore comply with this provision.

*M. Any activities that are defined as an agricultural entertainment business shall require a separate interim use permit.*

- This criteria does not apply to the applicant.

*N. Any exterior storage of equipment and materials other than the display of products being sold or agricultural equipment currently in use on the property shall be prohibited, unless otherwise exempted in accordance with §§ 150.001 through § 150.003 of this code.*

- This was a condition of approval for the initially granted IUP, and it is a recommended condition of approval for the new Interim Use Permit.

*O. There shall be a minimum buffer of 100 feet between any sales areas or sales buildings and any adjacent residential property lines.*

- There are no residential properties within 100 feet of the applicant's sales lot.

*P. Roof top or outside building mechanical equipment must be screened from view from adjacent properties and rights-of-way with an opaque material architecturally compatible with the building(s).*

- This was a condition of approval for the initially granted IUP, and it is a recommended condition of approval for the new Interim Use Permit.

*Q. Trash containers must be located inside or screened in an acceptable manner.*

- This was a condition of approval for the initially granted IUP, and it is a recommended condition of approval for the new Interim Use Permit.

*R. The operator shall adhere to the general review criteria applicable to all interim use permit applications.*

- This is identified in the review criteria below.

*S. No activities or structures beyond those specified in the interim use permit.*

- The applicant is not requesting any additional structures at this time.

**Agreement.** As part of the Interim Use Permit application requirements, the Applicant is required to consent to an agreement as outlined below. Attached for review is a draft of the agreement.

a. A signed consent agreement, subject to review and approval by the City Council documenting:

- i. That the applicant, owner, operator, tenant and/or user has no entitlement to future approval or reapproval of the interim use permit;
- ii. That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
- iii. That the applicant, owner, operator, tenant and/or user will abide by conditions of approval that the City Council attaches to the interim use permit.

**Requested Renewal Date.** The previous renewal period for the Interim Use Permit was five years. The Applicant has requested a renewal period of 10 years from the date of the last termination of January 1, 2017 in this case. Renewal periods of Interim Use Permits in the City generally range from two to ten, even twenty years.

**Recommended Findings.** Interim Use Permits may only be granted if the City Council finds the following. Staff recommends the following findings in regards to the proposed Interim Use Permit.

1. *The use is allowed as an interim use in the respective zoning district and conforms to standard zoning regulations.*
  - Agricultural sales businesses are an allowed use within the RT zoning district with an Interim Use Permit. Section 154.913 lays out conditions which the proposed use is subject to.
2. *The use will not adversely impact nearby properties through nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety, and welfare of the community.*

- Because the site meets necessary lot standards and is in a rural district, staff feel that nearby properties will not be negatively affected in either of the categories above. The surrounding properties are also agricultural in nature.
3. *The use will not adversely impact implementation of the Comprehensive Plan.*
    - The applicant is requesting to sell an agricultural product on the site. The comprehensive plan makes mention of Lake Elmo's history of agricultural character. The sale of Christmas trees will not pose an impact on implementing the comprehensive plan as it is written.
  4. *The user agrees to all conditions that the City Council deems appropriate to establish the interim use. This may include the requirement of appropriate financial surety such as a letter of credit or other security acceptable to the City to cover the cost of removing the interim use and any interim structures not currently existing on the site, upon the termination of the interim use permit.*
    - Per the Consent Agreement the applicant must adhere to all conditions laid out by the permit.
  5. *There are no delinquent property taxes, special assessments, interest, or city utility fees due upon the subject parcel.*
    - There are no delinquent property taxes, no levied assessments, no pending assessments, and the site does not connect to City utilities so there are no outstanding utility bills.
  6. *The date or event terminating the interim use shall be set by the City Council at the time of approval.*
    - Assuming none of the other sceneries cause termination of the permit staff recommends that the termination date be set for January 1, 2027.
  7. *The interim use includes a display area for Christmas trees, off street parking area, and the use of an existing office within on the premises. The terms and conditions associated with the interim use will not apply to any portion of the site that is already used for the permitted activities, including the sod farm.*
    - The IUP being applied for is not associated with the current sod farm which the property has also been used for. This permit is will not grant any different/further use towards the property other than what is in the IUP.
  8. *The sales of Christmas trees occurs from the day after Thanksgiving Day through December 31<sup>st</sup>.*
    - The timeline listed above is what was adhered to on the previous IUP and is recommended by staff.
  9. *Termination of the IUP shall be dependent upon the recommendations listed below;*
    - The beginning of the new year January 1, 2027.
    - Sale or transfer of the land/business ownership to an outside party.
    - The property is reduced below 40 acres.
    - A violation of the conditions of this Consent Agreement.
    - The redevelopment of the Property for a permitted or conditional use as allowed by the City's zoning regulations.

**Recommended Conditions of Approval.** Staff recommends the following conditions in regards to the proposed Interim Use Permit:

1. The applicant first sign the approved consent agreement with the City.

2. Items being sold with this IUP may not be sold prior to the day after Thanksgiving Day and may not be sold beyond the end of the year.
3. The operator must be able to demonstrate at all times that there is sufficient access, parking, and maneuvering space, suitable and safe access for motorists and pedestrians, and that parking is away from the travel way and within close proximity to the agricultural sales business. Also all sidewalks, roadways, and parking areas shall be maintained properly to eliminate dust as a nuisance to adjacent properties.
4. All waste materials shall be enclosed in containers provided on the site and properly screened, and shall not generate any nuisance impacts on adjacent properties.
5. Trip generation shall be limited to the yearly average daily trips calculated for the underlying zoning, with no daily trip generation to exceed twice the daily calculation rate for the underlying zone. The base daily trip generation is established at 180 vehicle trips per day for every 40 acres.
6. Any exterior storage of equipment and materials other than the display of products being sold or agricultural equipment currently in use on the property shall be prohibited.
7. The Interim Use Permit is to allow the sale of agricultural products that are grown off site – specifically Christmas trees. Any other items that are not ancillary or grown on site shall require an amendment to the Interim Use Permit.
8. The signing of this document by the applicant also assumes their adherence to the items below;
  - a. The applicant, owner, operator, tenant and/or user has no entitlement to future approval or reapprove of the interim use permit;
  - b. That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
  - c. That the applicant, owner, operator, tenant and/ or user will abide by conditions of approval that the City Council attaches to the interim use permit.
9. The Interim Use Permit as well as the Consent Agreement shall expire on the scenario which occurs first:
  - a. The beginning of the new year January 1, 2027.
  - b. Sale or transfer of the land/business ownership to an outside party.
  - c. The property is reduced below 40 acres.
  - d. A violation of the conditions of this Consent Agreement.
  - e. The redevelopment of the Property for a permitted or conditional use as allowed by the City’s zoning regulations.

**Planning Commission Review.** The Planning Commission held a public hearing and reviewed the request at its November 13, 2017 meeting. No one from the public spoke at the public hearing and no comments from the public were received prior to the meeting. The Planning Commission recommended approval of the request with a vote of 7-0.

**OPTIONS:**

The Council has the following options:

- A) Approve the Interim Use Permit request with recommended findings of fact and conditions;
- B) Amend recommended findings of fact and conditions and approve the Interim Use Permit request with amended findings of fact and conditions;

C) Deny the Interim Use Permit request, citing findings of fact for denial;

**RECOMMENDATION:**

Staff and the Planning Commission recommends approval of the proposed Interim Use Permit request, based on the recommended findings and conditions of approval.

***“Move adopt Resolution 2017- approving the proposed Interim Use Permit allowing PID# 36.029.21.41.0001 to allow the sale of agricultural products that are grown off site – specifically Christmas trees, based on the recommended findings and conditions of approval.”***

***(456 MANNING AVE N, CITY OF LAKE ELMO)***

**ATTACHMENTS:**

1. Application Form
2. Aerial of Property showing Site Plan
3. Proposed Consent Agreement
4. Resolution 2017- approving the proposed IUP

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Permit #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

### LAND USE APPLICATION

- Comprehensive Plan  Zoning District Amend  Zoning Text Amend  Variance\*(see below)  Zoning Appeal
- Conditional Use Permit (C.U.P.)  Flood Plain C.U.P.  Interim Use Permit (I.U.P.)  Excavating/Grading
- Lot Line Adjustment  Minor Subdivision  Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan  PUD Preliminary Plan  PUD Final Plan  Wireless Communications

Applicant: Lake Elmo Sod Farm  
Address: P.O. Box 216 Lake Elmo Mn. 55042  
Phone #: 651-436-3760  
Email Address: \_\_\_\_\_

Fee Owner: W 11  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address): 456 Manning Ave. N. Lake Elmo Mn. 55042  
(Complete (long) Legal Description): \_\_\_\_\_

PID#: \_\_\_\_\_

Detailed Reason for Request: to renew IUP  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: John Myhra Date: 10-13-17  
W 11 W 11

Signature of fee owner: \_\_\_\_\_ Date: \_\_\_\_\_





456 MANNING  
AVE N

**CONSENT AGREEMENT  
INTERIM USE PERMIT**

1.0 Parties. This Consent Agreement/Interim Use Permit is entered into by and between the City of Lake Elmo, a Minnesota City; and Lake Elmo Sod Farm, The Applicant.

2.0 Recitals.

A. Applicant is the record fee owner of the following described property situated in Lake Elmo, MN (“Property”): 456 Manning Ave N, Lake Elmo, MN 55042

That part of the NE1/4-SE1/4 EXC HWY PARCEL 43 MN DOT  
R/W PLAT #82-35 & EXC PARCEL #1 WASH CO HWY R/W  
#36 SECTION 36 TOWNSHIP 029 RANGE 021 as recorded by  
Washington County Minnesota.

B. The Property is zoned RT by the City of Lake Elmo.

C. Interim uses are allowed in the RT zoning district subject to the regulations contained in Lake Elmo City Code Section 154.401 – more specifically agricultural Sales Business, which is being requested through the Interim Use Permit (IUP).

D. Applicant has requested that the City allow for the renewal of the IUP:

E. On the 13<sup>th</sup> day of October 2017, Applicant submitted a completed application for an Interim Use Permit.

F. On the 13<sup>th</sup> day of November, 2017, the Lake Elmo Planning Commission, at a public hearing, reviewed the Interim Use Permit application, city staff comments and reports, Applicant’s comments and reports, public comments, and recommended approval of the Interim Use Permit subject to the conditions of the resolution.

G. On the 21<sup>st</sup> day of November 2017 the Lake Elmo City Council reviewed the Interim Use Permit application, city staff comments and reports, Applicant’s comments and reports, public comments, and the recommendations of the Lake Elmo Planning Commission, and agreed to authorize the interim use subject to the terms and conditions as specified in Section 154.401 of the Zoning Ordinance and Resolution 2012-073 approving the interim use permit.

H. On November 21, 2017, the Lake Elmo City Council approved a request to renew the Interim Use Permit for an additional five years (seasons), and authorized the Mayor to execute a consent agreement with the Applicant that includes the new termination date.

3.0 Terms and Conditions. The Lake Elmo City Council hereby authorizes and Applicant, for itself, and its successors and assigns, agree that the applied Interim Use Permit shall be subject to the following conditions:

1. The applicant first sign the approved consent agreement with the City.
2. Items being sold with this IUP may not be sold before the day after Thanksgiving Day and may not be sold beyond the end of the year.
3. The operator must be able to demonstrate at all times that there is sufficient access, parking, and maneuvering space, suitable and safe access for motorists and pedestrians, and that parking is away from the travel way and within close proximity to the agricultural sales business. Also all sidewalks, roadways, and parking areas shall be maintained properly to eliminate dust as a nuisance to adjacent properties.
4. All waste materials shall be enclosed in containers provided on the site and properly screened, and shall not generate any nuisance impacts on adjacent properties.
5. Trip generation shall be limited to the yearly average daily trips calculated for the underlying zoning, with no daily trip generation to exceed twice the daily calculation rate for the underlying zone. The base daily trip generation is established at 180 vehicle trips per day for every 40 acres.
6. Any exterior storage of equipment and materials other than the display of products being sold or agricultural equipment currently in use on the property shall be prohibited.
7. The Interim Use Permit is to allow the sale of agricultural products that are grown off site – specifically Christmas trees. Any other items that are not ancillary or grown on site shall require an amendment to the Interim User Permit.
8. The signing of this document by the applicant also assumes their adherence to the items below;
  - a. The applicant, owner, operator, tenant and/or user has no entitlement to future approval or reapprove of the interim use permit;
  - b. That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
  - c. That the applicant, owner, operator, tenant and/ or user will abide by conditions of approval that the City Council attaches to the interim use permit.
9. The Interim Use Permit as well as the Consent Agreement shall expire on the scenario which occurs first:
  - a. The beginning of the new year January 1, 2027.
  - b. Sale or transfer of the land/business ownership to an outside party.
  - c. The property is reduced below 40 acres.
  - d. A violation of the conditions of this Consent Agreement.
  - e. The redevelopment of the Property for a permitted or conditional use as allowed by the City’s zoning regulations.

4.0 Rescission of the Previous Interim Use Permit. The previous Interim Use Permit, which was previously issued for the Property has been rescinded and replaced by this most recent Consent Agreement/Interim Use Permit.

5.0 Acknowledgement and Consent. Applicant acknowledges that this is a legally binding agreement and that Applicant has had an opportunity to review the Agreement with legal

counsel. Applicant consents to the terms of this Agreement and its restrictions on the use of the Property and the Interim Use Area.

6.0 Effective Date. This Consent Agreement/Interim Use Permit shall be effective upon signature execution of all parties.

Date: 11/21/2017

**CITY OF LAKE ELMO**

By: \_\_\_\_\_  
Mike Pearson  
Mayor

**Lake Elmo Sod Farm**

By: \_\_\_\_\_  
John Myhna

Its: \_\_\_\_\_

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

**RESOLUTION NO. 2017-129**

***A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR AN AGRICULTURAL SALES BUSINESS AT 456 MANNING AVENUE FOR A CHRISTMAS TREE SALES LOT***

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, the Lake Elmo Sod Farm, 456 Manning Avenue, has submitted an application for an Interim Use Permit to continue the operation of a seasonal sales lot from which to sell Christmas Trees that are grown off-site; and

**WHEREAS**, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

**WHEREAS**, the Lake Elmo Planning Commission held a Public Hearing on November, 13, 2017 and reviewed and recommended approval of the Interim Use Permit for a seasonal Christmas tree sales lot; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated November 21, 2017; and

**WHEREAS**, the Lake Elmo City Council reviewed the interim use permit request and consent agreement at its November 21, 2017 meeting.

**NOW, THEREFORE**, based on the testimony elicited and information received, the City Council makes the following findings:

1. That the procedures for obtaining said Interim Use Permit are found in the Lake Elmo Zoning Ordinance, Section 154.107.
2. That all the submission requirements of said Section 154.107 have been met by the applicant.
3. That the proposed Interim Use Permit is to continue the operation of a seasonal sales lot from which to sell Christmas trees that are grown off-site in an RT – Rural Zoning District.
4. The Christmas trees sales will not occur before the day after Thanksgiving Day and may not be sold beyond the end of the year.

5. That the interim use includes a display area for Christmas trees, off street parking area adjacent to the sales lot, and the use of an existing office within the southernmost pole barn on the premises. The terms and conditions associated with the interim use will not apply to any portion of the site that is already used for permitted activities, including the sod farm.
6. That the proposed use will be located on property legally described as: NE1/4-SE1/4 EXC HWY PARCEL 43 MN DOT R/W PLAT #82-35 & EXC PARCEL #1 WASH CO HWY R/W #36 SECTION 36 TOWNSHIP 029 RANGE 021. More commonly known as 456 Manning Ave, Lake Elmo MN.
7. That the use is allowed as an interim use in the respective zoning district and conforms to standard zoning regulations. *The RT – Rural district allows for agricultural sales business, more specifically the sale of Christmas trees.*
8. That the use will not adversely impact nearby properties through nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety, and welfare of the community. *The sales lot is located amongst several agricultural buildings, and is set back from Manning Avenue. The surrounding uses are agricultural in nature, and the projected traffic levels will not be significant enough to negatively impact adjacent properties.*
9. The use will not adversely impact implementation of the Comprehensive Plan. *The applicant is requesting to sell an agricultural product on the site. The comprehensive plan makes mention of Lake Elmo’s history of agricultural character. The sale of Christmas trees will not pose an impact on implementing the comprehensive plan as it is written.*
10. That the date or event that will terminate the use is subject to the conditions below:
  - a. *The beginning of the new year January 1, 2027.*
  - b. *Sale or transfer of the land/business ownership to an outside party.*
  - c. *The property is reduced below 40 acres.*
  - d. *A violation of the conditions of this Consent Agreement.*
  - e. *The redevelopment of the Property for a permitted or conditional use as allowed by the City’s zoning regulations.*
11. That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future. *The applicant is not requesting to add any additional structures.*
12. That there are no delinquent property taxes, special assessments, interest, or city utility fees due upon the subject parcel. *At the time of approval there were no delinquent property taxes, special assessments, interest, or city utility fees due upon the parcel.*

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Interim Use Permit subject to the following conditions;

1. That the applicant signs the approved consent agreement with the City in accordance with Section 154.107, Subd. (C)((1)(b) of the City Code.
2. Items being sold with this IUP may not be sold before the day after Thanksgiving Day and may not be sold beyond the end of the year.
3. The operator must be able to demonstrate at all times that there is sufficient access, parking, and maneuvering space, suitable and safe access for motorists and pedestrians, and that parking is away from the travel way and within close proximity to the agricultural sales business. Also all sidewalks, roadways, and parking areas shall be maintained properly to eliminate dust as a nuisance to adjacent properties.
4. All waste materials shall be enclosed in containers provided on the site and properly screened, and shall not generate any nuisance impacts on adjacent properties.
5. Trip generation shall be limited to the yearly average daily trips calculated for the underlying zoning, with no daily trip generation to exceed twice the daily calculation rate for the underlying zone. The base daily trip generation is established at 180 vehicle trips per day for every 40 acres.
6. Any exterior storage of equipment and materials other than the display of products being sold or agricultural equipment currently in use on the property shall be prohibited.
7. The Interim Use Permit is to allow the sale of agricultural products that are grown off site – specifically Christmas trees. Any other items that are not ancillary or grown on site shall require an amendment to the Interim User Permit.
8. The signing of this document by the applicant also assumes their adherence to the items below;
  - a. The applicant, owner, operator, tenant and/or user has no entitlement to future approval or reapprove of the interim use permit;
  - b. That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
  - c. That the applicant, owner, operator, tenant and/ or user will abide by conditions of approval that the City Council attaches to the interim use permit.
9. The Interim Use Permit as well as the Consent Agreement shall expire on the scenario which occurs first:
  - a. The beginning of the new year January 1, 2027.
  - b. Sale or transfer of the land/business ownership to an outside party.

- c. The property is reduced below 40 acres.
- d. A violation of the conditions of this Consent Agreement.
- e. The redevelopment of the Property for a permitted or conditional use as allowed by the City's zoning regulations.

Passed and duly adopted this 21<sup>st</sup> day of November, 2017 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk





## STAFF REPORT

DATE: November 21, 2017  
**REGULAR**  
ITEM #: 14

**TO:** Mayor and City Council

**FROM:** Jake Foster, Assistant City Administrator

**AGENDA ITEM:** Approve Property and Liability Deductible Change and Authorize Decision for Liability Coverage Waiver Form

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### **BACKGROUND:**

The decision to waive, or not waive the statutory municipal tort limits for LMCIT members is typically required to be made by the members governing body. The City of Lake Elmo has not done so in recent history, but it is standard practice for other municipalities.

If the member *does not waive* the statutory tort limits, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits apply regardless of whether the city purchases the optional excess liability coverage.

If the member *waives* the statutory tort limits and does not purchase excess liability coverage, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under this option, the tort cap liability limits are waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.

If the member *waives* the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Additionally, in order to offset some of the cost of increased premiums, the City can elect to raise the LMCIT property and liability deductible to offset the cost of increased premiums for 2018. Lake Elmo is one of three metro-area cities of similar population to still have a \$500 deductible.

### **ISSUE BEFORE COUNCIL:**

Should the Council approve the deductible increase for the City's property and liability insurance, and provide authorization for the City to not waive the municipal tort limits for liability coverage from LCMIT?

### **PROPOSAL DETAILS/ANALYSIS:**

Staff recommends that Council elect not to waive the statutory municipal tort limits, and approve the Liability Coverage Waiver Form as such. Staff also recommends increasing the deductible for the LCMIT property and liability coverage.

**FISCAL IMPACT:**

The city's expiring bottom line premium is \$65,397. This bottom line premium includes the excess liability. The savings referenced are off the entire \$65,397 premium.

\$1,000 deductible: approximate savings of \$3,000 from the current \$500 deductible level premium;  
\$2,500 deductible: approximate savings of \$6,000 from the current \$500 deductible level premium;  
\$5,000 deductible: approximate savings of \$9,500 from the current \$500 deductible level premium;  
\$10,000 deductible: approximate savings of \$13,500 from the current \$500 deductible level premium.

**OPTIONS:**

Liability Coverage – Waiver Form:

- 1) Waive statutory municipal tort limits
- 2) Do not waive statutory municipal tort limits

Property/Liability Deductible:

- 1) Increase deductible for property/liability coverage
- 2) Maintain current deductible for property/liability coverage

**RECOMMENDATION:**

*“Motion to approve the deductible increase for the City’s property and liability insurance, and authorize election to not waive the statutory tort limits.”*

**ATTACHMENTS:**

- LMCIT deductible analysis of similar-sized cities as provided by Zignego Agency Inc.
- LMCIT’s Liability Coverage – Waiver Form

SPRING LAKE PARK, CITY OF	6,432	1000
BELLE PLAINE, CITY OF	6,684	2500
MINNETRISTA, CITY OF	6,735	2500
ST. FRANCIS, CITY OF	7,240	500
SHOREWOOD, CITY OF	7,524	2500
ORONO, CITY OF	7,584	2500
MAHTOMEDI, CITY OF	7,697	5/10/1
WYOMING, CITY OF	7,800	1000
<b>LAKE ELMO, CITY OF</b>	<b>7,997</b>	<b>500 except</b>
VICTORIA, VICTORIA FIRE DEPT &	8,133	2500
OAK GROVE, CITY OF	8,210	2500
CAMBRIDGE, CITY OF	8,273	5/10/1
ST. ANTHONY VILLAGE CITY OF	8,516	10/50/1
MOUND AND MOUND VOLUNTEER	9,084	1000
ARDEN HILLS, CITY OF	9,597	10/20/1
NORTH BRANCH, CITY OF	10,184	1000
BIG LAKE, CITY OF	10,402	2500
MENDOTA HEIGHTS, CITY OF	11,136	10/20/1
WHITE BEAR TOWNSHIP	11,165	2500
WACONIA, CITY OF	11,345	500



CONNECTING & INNOVATING  
SINCE 1913

## LIABILITY COVERAGE – WAIVER FORM

**LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to [pstech@lmc.org](mailto:pstech@lmc.org)**

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits apply regardless of whether the city purchases the optional excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under this option, the tort cap liability limits are waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

\_\_\_\_\_  
LMCIT Member Name

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.
- The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting \_\_\_\_\_

Signature \_\_\_\_\_ Position \_\_\_\_\_



## STAFF REPORT

DATE: 11/21/17

REGULAR

AGENDA ITEM: 15

**TO:** City Council

**FROM:** Emily Becker, Planning Director

**ITEM:** Wyndham Village Subdivision Sketch Plan Review and Comprehensive Plan Amendment

**REVIEWED BY:** Ben Gozola, Consultant City Planner  
Jack Griffin, City Engineer

### **BACKGROUND:**

The Council is being asked to review a Sketch Plan for a proposed residential subdivision to the southwest of Northport (formerly known as Village Park Preserve) and immediately north of the Heritage Farm. The sketch plan includes 13 single-family residential detached homes on a total site area of 5.97 acres. A Sketch Plan review requires no formal action by the Planning Commission. The applicant is also requesting a Comprehensive Plan Amendment to re-guide the proposed development area from Rural Single Family to Urban Low Density. The aforementioned request requires review, a public hearing and recommendation to the Council.

### **General Information**

*Applicant:* JP Bush Homes, 1980 Quasar Ave S, Lakeland, MN 55043

*Property Owners:* James McLeod, 11580 30<sup>th</sup> St N, Lake Elmo, MN 55042

*Location:* Part of the southwest quarter of the southeast quarter of Section 13, Township 29 North, Range 21 West

*PID:* 13-029-21-43-0001

*Request:* Sketch Plan Review

*Existing Land Use:* Vacant

*Existing Zoning:* RS – Rural Single Family

*Surrounding Area:* North – Northport (Urban Low Density Residential); East – Northport (Urban Low Density Residential); West – Rural Single Family Residential; South – the Homestead (Open Space Preservation Development)

*Comprehensive Plan:* Rural Single Family Density Residential (0.66-2 units per acre)

*Proposed Zoning:* LDR – Urban Low Density Residential (2.5 - 4 units per acre)

*History:* The property has long been used as a single family detached dwelling unit

*Deadline for Action:* Application Complete – 10/20/2017  
60 Day Timeline – 12/19/2017  
Extension Sent – N/A

*Applicable Regulations:* Article XII – Urban Residential Districts (LDR)  
Chapter 153: Subdivision Regulations

## **REVIEW/ANALYSIS:**

### **SUBDIVISION SKETCH PLAN REVIEW**

**Sketch Plan Review Process.** The Lake Elmo Subdivision Ordinance specifies that as part of the pre-application process for a new subdivision, the applicant must first submit a Sketch Plan for review by the City. The Ordinance notes that the purpose of the Sketch Plan review is as follows:

*Sketch plan. In order to ensure that all applicants are informed of the procedural requirements and minimum standards of this chapter and the requirements or limitations imposed by other city ordinances or plans, prior to the development of a preliminary plat, the subdivider shall meet with the Planning Commission and prepare a sketch plan which explains or illustrates the proposed subdivision and its purpose. The Planning Commission shall accept the information received, but take no formal or informal action which could be construed as approval or denial of the proposed plat.*

Based on this wording, the Council is not being asked to take any formal action as part of the Sketch Plan Review other than to accept the information received. Staff has completed an internal review of the Sketch Plan, and general comments from Staff are included in this memorandum and applicable attachment.

**Sketch Plan Review.** The Staff review comments that follow are all based on conducting a very high level review of the Sketch Plan since there is not a lot of detailed information that is required at this stage in the subdivision process. Staff has instead focused on the bigger picture items and those things that would otherwise not allow the development to move forward if they contrasted with elements from the Comprehensive Plan or the City Code.

**Comprehensive Plan Amendment Required.** The Property is currently guided for the Rural Single Family land use, which allows a density of 0.66-2 units per acre. Because the Applicant is proposing a density of 2.17 units per acre, a Comprehensive Plan Amendment would be required in order to allow for a higher density. The Applicant has submitted a formal application, and this request is discussed later in this report.

**Zoning Map Amendment.** If the proposed Comprehensive Plan Amendment is approved, the property will need to be rezoned during Preliminary Plat approval. The properties to the north and east of the subject parcel are guided for Village Urban Low Density (V-LDR) and have been rezoned to Urban Low Density Residential. This was because when these properties received Preliminary Plat approval, there did not exist a Village Urban Low Density zoning district. The V-LDR ordinance was created on 5/26/17, and so while this property could be rezoned to V-LDR, Staff would recommend that the property be re-zoned similarly to those of adjacent properties in order to avoid spot zoning. The Zoning Code states that densities within the Urban Low Density Zoning District shall range from two 2 to 4 units per acre; however, the overall density for a specific development area must be consistent with the net densities specified in the Comprehensive Plan.

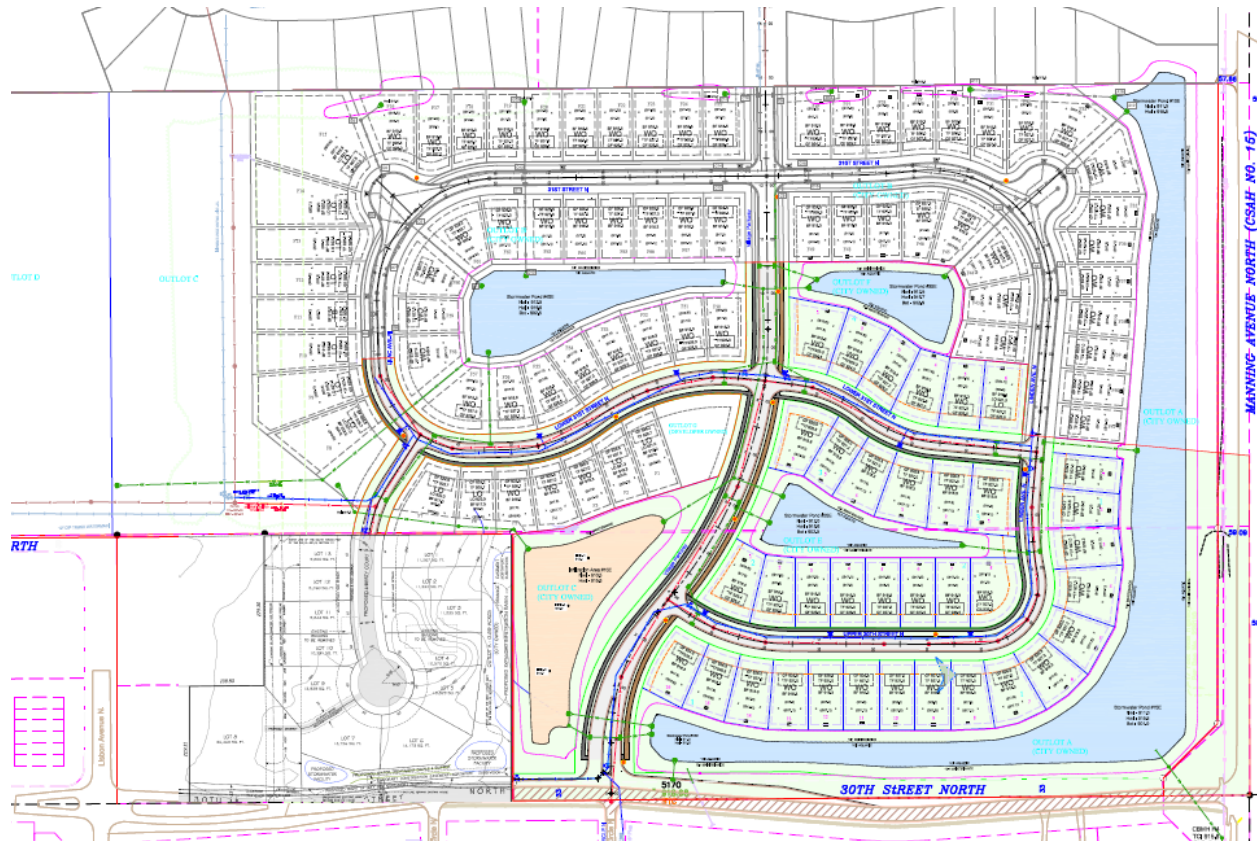
Because the proposed density of the development is consistent with both the Comprehensive Plan and is within 2 to 4 units per acre, it would be appropriate to rezone the development area to Urban Low Density Residential.

**Land Use.** The proposed land use within the development are single family detached homes, which are a permitted use within the Urban Low Density Residential zoning district.

**Greenbelt Corridor.** As previously mentioned, the Comprehensive Plan indicates that a greenbelt corridor should be established on the southern border of the proposed development. The greenbelt corridor is meant to serve as a transitional area between future sewered growth within the Village and existing rural development. The Comprehensive Plan states the following in regards to the greenbelt corridor.

*“Greenbelt Corridors. Greenbelt Corridors run along the perimeter of proposed development and serve as transitional areas between future sewered growth within the Village and existing rural development. The corridor may be reduced if the design of the development includes the following: (1) a design that is mindful of the landscape features of the site, providing enhanced environmental benefit, (2) a design that is consistent with overall goals for the Village Land Use Plan, and (3) a design that meets the requirements of the underlying land use category of the parcel. At a minimum, the corridor shall be established and provided for by performance standards within the Zoning Code based upon the locations of the existing Village Boundary and area guided for commercial use in the northeastern portion of the Village. Not only will this provide a significant physical and visual amenity, but it will also encourage more residential development closer to the Village Center. Uses within the Greenbelt Corridor may include trails, passive recreation, public gathering spaces, natural areas, storm water management systems, natural water courses, small-scale or community oriented agricultural activities and other amenities intended for aesthetic enjoyment.”*

The above language does not indicate an exact width requirement for the corridor, though it appears through using a scale on the land use map that the width of the corridor is 200 feet. The proposed width of the buffer at its narrowest for this development is 40 feet. The proposed buffer's proposed use consists of a water treatment swale, which is an approved use as outlined above. Northport, to the east of the proposed development, had a buffer width of approximately 125 feet from the southern edge of the plat. The exhibit below shows how the lots within the proposed development extend further south than the Northport development.

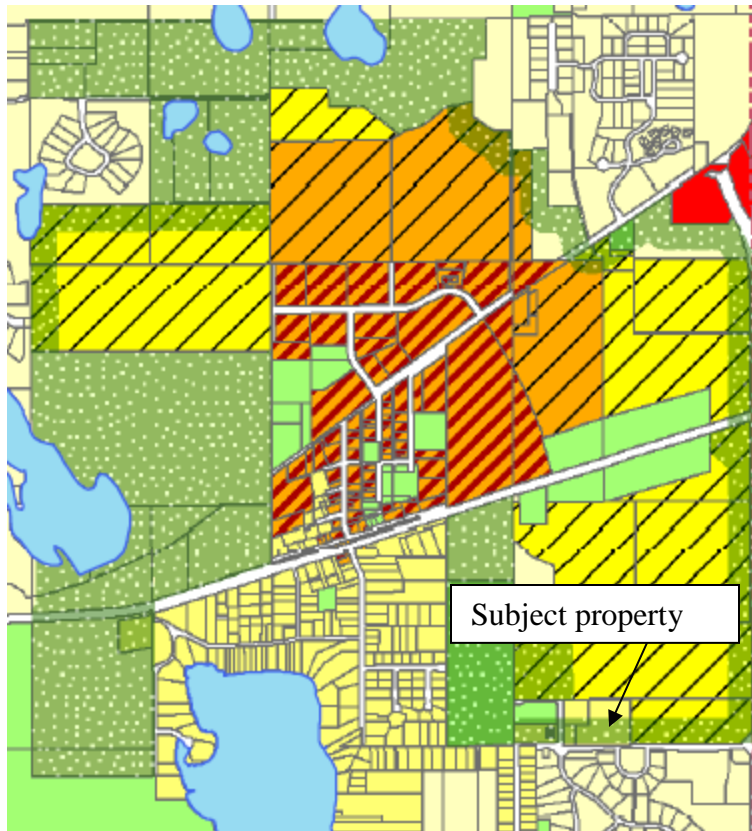


It should be noted, however, that the Urban Residential Districts Article of the Zoning Code indicates the following in regards to required setbacks for lots within this area:

*“C. Lots Adjacent to Public Greenway Corridors. On any lot that abuts a public greenway as depicted in the Comprehensive Plan the minimum setback for all structures, including accessory buildings, shall be the required rear yard setback for the district in which said structure is located.”*

**Additional Buffer/Screening Recommended.** Because the buffer appears to encroach half way up the development as shown below, this requirement would not be able to be met with the proposed design. The southern boundary of the subdivision is along the north boulevard of 30<sup>th</sup> Street North and proposes two storm water ponds connected by a drainage swale. It is recommended that additional space be allocated at elevations higher than 30<sup>th</sup> Street to create a vegetative buffer between the lots and this collector street.



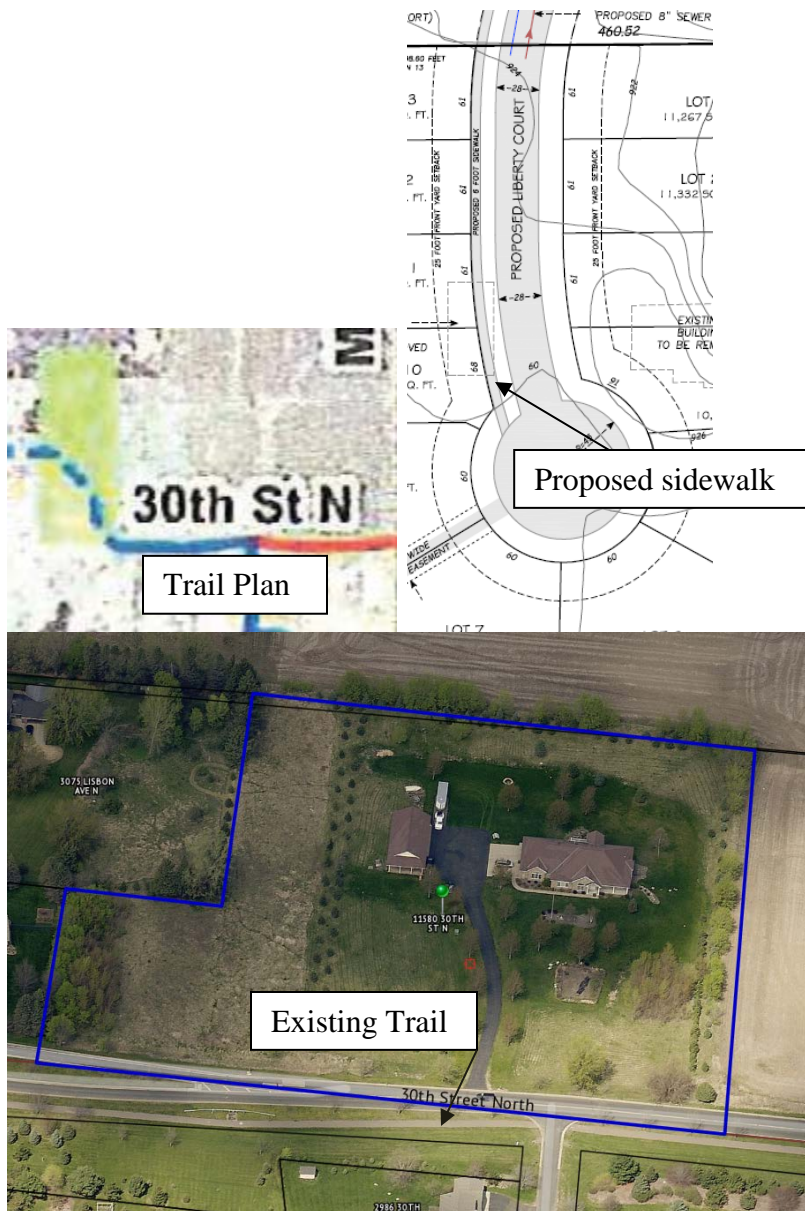


**Lake Elmo Theming Study.** The proposed development is within the Old Village Area. As the applicant prepares Preliminary Plans for the proposed subdivision, staff would recommend that various elements from the Lake Elmo Theming Study be included in the proposed plans.

**Park Dedication.** The proposed development is to the east of Reid Park. With recording of the Northport plat, the City received approximately an additional 12.5 acres of parkland for an extension of Reid Park. The Neighborhood Park Search Area map of the Comprehensive Plan's Parks and Recreation Plan does not identify this area for a neighborhood park. Therefore, Staff would not recommend that parkland be dedicated within this development and that the City accept fees in lieu of parkland dedication. Per the City's Subdivision Ordinance, 10% of the fair market value of the land will need to be paid as the parkland dedication fee. The fair market value of the land is determined by current market data, if available, or by obtaining an appraisal from a licensed real estate appraiser, and the subdivider is required to pay for the appraisal. In this case, if the owner of the property will be selling the land to the Applicant to be developed, there will be current market data available. If the owner is not selling the land, an appraisal to determine the fair market value will likely be required in order to determine the amount of parkland dedication the City will receive. The Parks Commission will review the proposed sketch plan on November 20, 2017.

**Trails.** No trails are being proposed within the development, only a sidewalk on the west side of Liberty Court North. There is already a trail along the south of 30<sup>th</sup> Street, and the developers of Northport will be constructing a segment of a trail from the southern edge of that development off Liberty Court North. This trail segment will not connect to the existing trails in Reid Park, however, as approved by Council. The City may extend this trail through to the existing trails in Reid Park in

the future. The City's trail plan indicates a trail along 30<sup>th</sup> Street North, which already exists on the south side of the street.



**Access.** Access to the proposed lots will be provided from Lower 31<sup>st</sup> Street North to the north of the subject property (part of the Northport development). Access to this parcel was pre-planned with the adjacent subdivision in order to preserve the proper access management along 30<sup>th</sup> Street North. The existing driveway will be eliminated as suggested by Staff. Access to the new Lot 8 is proposed to be provided via a 20 foot wide driveway easement off the cul-de-sac of Liberty Court North. The City Engineer is recommending this be changed to a 30 foot wide Outlot to be owned by Lot 8. This change will impact the configuration of Lots 7 and 9.

**Streets.** The proposed streets appear to be meeting the City's minimum standards:

- Liberty Court is proposed to be 28-feet wide within a 60-foot right-of-way;

- A 60 foot cul-de-sac right-of-way width is provided with a 45 foot pavement radius;
- The cul-de-sac length is proposed to be 510 feet long;
- There is a proposed sidewalk to the west of this street. The residential maximum longitudinal grade is 6% with a sidewalk which appears to be feasible. Potential connections to this sidewalk should be considered moving forward.
- Surmountable concrete curb and gutter needs to be installed in single family areas with future driveways.

The biggest issue of concern regarding streets is the fact that additional right-of-way must be dedicated along 30<sup>th</sup> Street North to ensure a minimum boulevard width of 16 feet is provided along the entire length of the plat. In addition to the right-of-way, a 10 foot utility corridor must also be reserved for small utilities. The proposed stormwater facilities cannot encroach into this utility corridor.

**Utilities – Municipal Water Supply and Municipal Sanitary Sewer.** Public water and sanitary sewer service will be extended to the site with the development of Northport. The preliminary plans will need to include detailed utility construction plans that meet City engineering standards.

**Environmental Review.** The proposed development is within the Village Alternative Urban Area Wide Review (AUAR), which was completed in order to address the expected cumulative environmental impacts associated with the anticipated growth and development within the Village.

**Storm Water Management.** The general drainage system should mimic the natural topography of the site in order to ensure a drainage system that provides positive stormwater drainage across the development. The proposed development area resides within the Valley Branch Watershed District (VBWD). City staff recommends early planning/coordination meetings with VBWD. The design of the storm water management systems must be compliant with the requirements of the State, VBWD, the City of Lake Elmo Storm Water Management Ordinance, and the City of Lake Elmo design standards manual. The applicant is advised to fully read and comprehend the City's storm water and erosion control ordinance since these standards are different, and in some cases more stringent, than the watershed district.

The storm water facilities must be platted as Outlots and deeded to the City for maintenance purposes and must fully incorporate the 100-year High Water Level, 10 foot maintenance bench and all maintenance access roads. The storm water ponds will not be allowed to encroach on to adjacent private lots. The storm sewer system shall be designed to maintain the City standard minimum pipe cover of 3.0 feet, and drain tile is required as part of the City standard street section at all localized low points in the street. All storm sewer pipe easements must be a minimum of 30 feet in width. No drainage and utility easement is shown for the storm sewer pipe along the Lot 5 and Lot 6 property line. It is likely that more land will need to be allocated for stormwater management. The preliminary grading plan shows pond encroachment on Lots 6 and 7, and additional pond depth will be required to meet City standards.

Grading restrictions along the Northern Natural Gas easement must be adhered to, and it is unclear how drainage within the Northern Natural Gas easement will be captured and conveyed to stormwater facilities. Additionally, Liberty Court drainage must be captured and treated on-site. Currently, a significant portion of the drainage is shown to be draining to the Northport subdivision,

and the stormwater management plan of this subdivision does not account for this additional impervious surface.

The ultimate discharge rate and location will be an important consideration. The stormwater management plan will need to address changes to the downstream drainage system to the extent alterations are proposed. Written permission from properties that are impacted and submitted will be required as part of the development application.

**City Engineer Review.** The City Engineer’s review comments are found as part of the attachments to this report and are incorporated throughout the report.

**Airport.** The proposed development is not within the Lake Elmo Airport Existing Runway Protection Zones; however, the Metropolitan Airports Commission will be given the opportunity to review the proposed development with the Preliminary Plat application. Staff has distributed adjacent review to the Metropolitan Airports Commission (MAC) as part of the Comprehensive Plan Amendment request, but has not yet heard back from the MAC.

**Lot Dimensions and Bulk Requirements.** The proposed sketch plan appears to meet the lot dimensions and bulk requirements for the Urban Low Density Residential zoning district, as shown below:

<b>Standard</b>	<b>Required</b>	<b>Proposed</b>
<b>Minimum Lot Area</b>	8,000 square feet	9,600 square feet – 36,460 square feet (average of 13,225 square feet)
<b>Minimum Lot Width</b>	60 feet	60-205.5 feet*, ** *See the Access portion of this report – lot widths of Lots 7 and 9 may need to be reduced, possibly not meeting the 60 foot minimum standard. ** Lot 8 will have a lot width of approximately 205.5 feet of street frontage as the lot abuts 30 <sup>th</sup> Street North, even though access will be provided through the cul-de-sac of Liberty Court North.
<b>Maximum Impervious Surface</b>	40%	Unknown
<b>Minimum Front Yard Setback</b>	25 feet	Appears to be 25 feet (grading plan scale not provided)

<b>Minimum Interior Sideyard Setback (principal buildings)</b>	10 feet	Appears to be 8 feet on both sides in northerly lots (grading plan scale not provided); sideyard setback averaging has been allowed in the past
<b>Minimum Interior Sideyard Setback (accessory structures)</b>	5 feet	N/A
<b>Minimum Corner Sideyard Setback</b>	15 feet	N/A
<b>Minimum Rear Yard Setback</b>	20 feet	All required rear yard setbacks appear to be met (grading plan scale not provided)

**Lot Easements.** Lot easements (front, rear and side yard) need to be shown on the plan meeting City requirements.

**Northern Natural Gas Easement.** A Northern Natural Gas easement runs along the western side of lots 9 through 13, and bisects lot 8 before getting to 30<sup>th</sup> Street North. As two large diameter gas mains are located in the easement, there are heavy restrictions on what can be done in this area (i.e. no building, creating, constructing, or allowing to be built any hard surface road, building, or other structure; and no grading or other work without the written consent of Northern). The City has no ordinance that requires a buildable or even usable backyard, but it is a fact that should be disclosed to future buyers should this development move forward. Owners of these lots will likely not be able to have decks, pools, accessory structures, or even landscaping without prior written consent of Northern. The Applicant should consider the value of these lots and how they will communicate these restrictions, and will need to demonstrate how the easement will be delineated within the yards to prevent homeowners from encroaching into the easement.

**Landscaping.** The applicant has not provided any details concerning landscaping for the site, which must be submitted at the time of Preliminary Plat submission and will need to adhere to the City's Landscape Requirements. There are a number of existing trees on the property, and the project will be subject to the City's tree protection and replacement ordinance. Additionally, it is recommended that the Applicant provide sufficient landscaping along 30<sup>th</sup> Street North to provide a sufficient buffer

## COMPREHENSIVE PLAN AMENDMENT

**Current Land Use.** The property is currently used as a single family detached dwelling and is currently guided for Rural Single Family Zoning with a Village Open Space Overlay greenbelt corridor on the southern border of the parcel. This land use has a guided density of 0.66-2 units

per acre. The Applicant and owner of the property would like to move the existing house to a lot to the west of the proposed development, and subdivide the remaining portion of the parcel in to 12 additional parcels.

**Proposed Land Use and Density.** The Comprehensive Plan Amendment proposes to re-guide the property to Village Urban Low Density, which will allow a density of 1.5-2-49 units per acre. The development site is 5.97 acres, and a total of 13 residential lots are being proposed, totaling a gross density of 2.17 units per acre. There are no wetlands, wetland buffers, public waters, or other areas that are protected from development by local ordinance on the property, and because there is no public parkland or protected open space proposed nor arterial road right-of-way, the net density of the development is expected to also be 2.17 units per acre.

**MUSA and Rural Single Family Sewered Land Use Option.** The proposed development is within the Metropolitan Urban Service Area (MUSA), and sewer will be made available through Northport, the development to the north and east of the proposed development. Areas within the City that are included in the MUSA must be developed at an average of three units per acre. In 2016, the City created a new land use that is called Rural Single Family – Sewered. This land use is intended for properties that were platted for conventional subdivision prior to 2005 that have been (and will continue to be) serviced by private on-site well and septic systems, unless within the MUSA area. If within a MUSA, the City Council may consider connection to the sanitary sewer system where practical. While the property does have the option of being re-guided to this land use category, the density of the proposed development is higher than the allowed density within the Rural Single Family land use category (0.66-2 units per acre), and so this land use would be inappropriate for this proposed development. If the property were to re-guide to Rural Single Family Sewered, the smallest the lot sizes allowed would be 24,000 square feet, which equates to a density of 1.8 units per acre.

**Adjacent Land Use.** Northport (the development to the north and east of the proposed development) is guided for Village Urban Low Density. This proposal would essentially be an extension of the Village Urban Low Density land use that currently exists. Properties to the west of the proposed development would remain guided for Rural Single Family and are also within the greenbelt buffer.

**Recommended Findings.** Staff recommends the following findings in regards to the proposed Comprehensive Plan Amendment:

1. That the Applicant has submitted a request to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and Lake Elmo Planning Commission; and
2. That the request is to amend the Comprehensive Land Use Plan:
  - a. On page III-11, updating Table 3-B to reflect proposed increased acreage of Village Urban Low Density Residential and decreased acreage of Rural Single Family.
  - b. Updating Map 3-3 – the planned land use map.
3. That the proposed amendments are consistent with the overall goals and objectives of the Comprehensive Plan in that the Property is within the Metropolitan Urban Service Area.

**Recommended Conditions of Approval.** Staff recommends the following conditions in regards to the proposed Comprehensive Plan Amendment:

1. Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that its review has been completed and approved.
2. That the Applicant obtain Preliminary Plat approval from the City that meets the following:
  - a. Required densities of the Village Urban Low Density land use category.
  - b. Provides a sufficient Greenbelt Corridor as indicated in the Comprehensive Plan and approved by the City.
  - c. Provides a usable rear yard for lots in which the Northern Natural Gas Company Easement (Document 384029) (“Northern Easement”) is located, as determined by the City; or receives approval from the City for required rear yards for lots in which the Northern Easement is located, in which building, creating, constructing, or allowing to be built any hard surface road, building, or other structure as well as altering the grade or permitting such alteration upon which Northern Natural Gas Company has reserved its Easement rights without the written consent of Northern.
  - d. All other applicable standards including but not limited to City Engineer Design Standards, Valley Branch Watershed District requirements, and zoning standards.

**Planning Commission Review.** The Planning Commission reviewed the proposed Subdivision Sketch Plan and Comprehensive Plan Amendment at its meeting on November 13, 2017 and had the following comments in regards to the proposed subdivision sketch plan:

- They saw issues with the proposed greenbelt corridor and felt that additional width or extensive landscaping was needed for the proposed subdivision.
- They saw definite issues with proposed location of the lots on the west of Liberty Court that are in conflict with the Northern Natural Gas Easement. They wished to see these lots have a usable backyard.
- The Comprehensive Plan Amendment made sense in that the subject property is adjacent to the V-LDR district and in the MUSA.

The Planning Commission recommended approval of the proposed Comprehensive Plan Amendment with a vote of 7-0.

**FISCAL IMPACT:**

There would be no fiscal impact to the City at this time, as the developer would be required to pay for any amendments needed to accommodate the increase in REC units. Concept Plan approval does not afford the applicant development rights. When the property develops, it will have urban services and will pay sewer and water connection charges, building permit fees and the like.

**RECOMMENDATION:**

Staff is recommending that the Planning Commission recommend approval of the proposed Comprehensive Plan Amendment to re-guide PID# 13.029.21.43.0001 from Rural Single Family to Village Urban Low Density, based on the recommended findings and conditions of approval.

***“Move to recommend approval of the proposed Comprehensive Plan Amendment to re-guide PID# 13.029.21.43.0001 from Rural Single Family to Village Urban Low Density, based on the recommended findings and conditions of approval.”***

Staff is recommending that the Planning Commission accept the Sketch Plan provided by JP Bush Homes for a 13 unit single family detached residential development of PID#13.029.21.43.0001.

**ATTACHMENTS:**

1. Application Forms
2. Narrative
3. Preliminary Grading and Drainage Plan
4. Subdivision Sketch Plan
5. City Engineer Review Memorandum 10/20/2017
6. Resolution 2017- Approving the Proposed Comprehensive Plan Amendment



Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Permit #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

### LAND USE APPLICATION

- Comprehensive Plan  Zoning District Amend  Zoning Text Amend  Variance\*(see below)  Zoning Appeal
- Conditional Use Permit (C.U.P.)  Flood Plain C.U.P.  Interim Use Permit (I.U.P.)  Excavating/Grading
- Lot Line Adjustment  Minor Subdivision  Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan  PUD Preliminary Plan  PUD Final Plan  Wireless Communications

Applicant: J.P. BUSH HOMES.  
Address: 1980 QUASAR AVE S. LAKE LAND MN. 55043  
Phone #: 651-775-4222  
Email Address: JOE@JOEBUSHMN.COM

Fee Owner: JAMES MCLEOD  
Address: 11580 30TH ST. N. LAKE ELMO MN. 55042  
Phone #: 651-770-6884  
Email Address: \_\_\_\_\_

Property Location (Address): 11580 30TH ST. N. LAKE ELMO MN 55042  
(Complete (long) Legal Description: PID # 13.029.21.43.0001  
PART OF THE SOUTHWEST QUARTER OF THE SOUTH EAST QUARTER OF  
PID#: SECTION 13, TOWNSHIP 29 NORTH, RANGE 21 WEST, CITY OF  
LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

Detailed Reason for Request: ATTACH EXISTING OWNERS (MCLEOD) PROPERTY  
TO PUTE SUBDIVISION AND CHANGE DENSITY TO  
LOW DENSITY RESIDENTIAL. CREATE 18 NEW HOMESITES  
OF LOW DENSITY RES AND ONE SLIGHTLY LARGER LOT(8)  
FOR THE USE OF THE MCLEOD'S NEW HOME SITE.

\*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 9/19/17

Signature of fee owner: James R McLeod Trustee Date: Sept 20 2017



# *J.P. Bush* H O M E S

September 15-2017

## **City of Lake Elmo Comprehensive Plan Review Narrative.**

**Property:** 11580 30<sup>th</sup> Street North Lake Elmo MN 55043  
James McLeod Revocable Trust (5.9 Acres)

**Usage:** Currently a single family ZONED: RURAL RESIDENTIAL  
Request to Change from: RURAL RESIDENTIAL to URBAN LOW DENSITY RESIDENTIAL

**Proposer:** Mr. and Mrs. James McLeod Revocable Trust, Land Owner.  
JP Bush Homes, Developer.

The proposed subdivision is called "Wyndham Village". Lake Elmo Minnesota and its residence have a unique old village City that continues to explore a wide range of opportunities for family living. James McLeod and the Developer, JP Bush Homes desires to keep this proposed Development in harmony with the Comprehensive Plan that Lake Elmo has adopted. Wyndham Village is simply an extension of an approved subdivision called "VILLAGE PARK PRESERVE". Gonyea Homes and The Pulte Group have developed a wonderful series of Village Home sites directly connected to The McLeods Property. VILLAGE PARK PRESERVE borders the Mcleods property directly to the North and East. Gonyea and Pulte have worked closely with City of Lake Elmo to allow home sites within the development to a standard of URBAN LOW DENSITY RESIDENTIAL. During the recent Final Plat Approval for VILLAGE PARK PRESERVE Gonyea and Pulte invited the Mcleods and JP. Bush Homes to directly connect "Wyndham Village". Zoning our subdivision to URBAN LOW DESITY RESIDENTIAL is a nature transition to an approved plan. The McLeods and JP. Bush would like the City of Lake Elmo to consider approving the request to The Comprehensive Plan and allow "Wyndham Village" to be amended per the attached documents. The developer has followed, organized and done the items listed here within to create a reasonable request for the change of Zoning.

1. Attended meetings and informal work sessions with the City of Lake Elmo Building and Zoning Gonyea and Bush to design a smooth, consistent connection between the subject Properties.
2. Scheduled additional onsite walks to discuss screening vegetation, road locations, Safety line of site for road access and appropriate storm water management.
3. Developer designed multiple modifications to the Sketch Plan of the development in accordance With recommendations noted from all meetings formal and informal. The sketch plan Is a comprehensive document performed by a local licensed Surveyor.

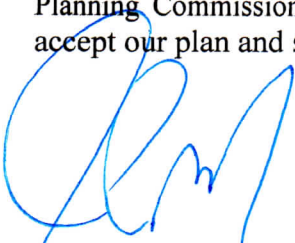
**The attached documents are a complete set of the documents required for a Comprehensive plan change with in the Land Use Code. They are listed.**

1. full size color copies and 11x17 copies of the Sketch plan from Landmark Surveyor.
2. Copies of the VILLAGE PARK PRESERVE planned development.
3. Copies of detailed road designs allowing the connection and use of common streets.
4. Copies of the agreements between Gonyea, Pulte, McLeods allowing easements for VILLAGE PARK PRESERVE to install their proposed road designs and storm water ponding.
5. Mailing labels from Washington County of all Neighbors within 350 feet.
6. A completed application along with required fees for sketch plan and Comprehensive plan change review.

**Brief property description and planned home applications**

The Project is a 13 lot single-family development on 5.9 acres. Each lot has the proper requirements for buildable area. The development sketch plan shows all the requirements of City Code for a Comprehensive plan review. Important to note that the Proposed Lot #8 is larger and is intended to be used for the McLeods Minnesota Residence. Lot #8 is a wonderful compliment to the neighborhood and is a much more desirable fit to single family homes directly to the West and North of Lot #8. The Proposed Homes within "Wyndham Village" are going to be similar in price, size and overall design the homes in VILLAGE PARK PRESERVE".

The above description along with all the required documents and planning that have been performed allow the Planning Commission and City Council proper information to make a Comprehensive Plan Change. Please accept our plan and submissions to the City of lake Elmo Planning Commission and City Council.



Joseph P Bush  
J.P. Bush Homes

DRAWN BY: C.M. DESIGN BY: C.W.P.  
 CHCKD BY: C.W.P. PROJ. NO. 17-1724  
 ORIGINAL DATE: OCTOBER 13, 2017

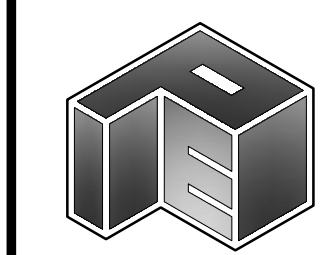
DATE REVISION DESCRIPTION

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

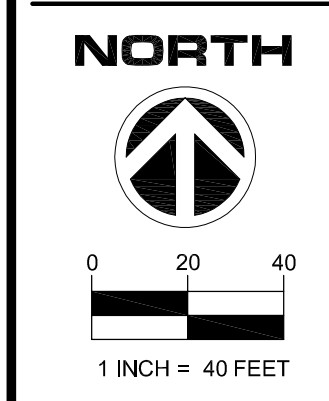
*Charles W. Plowe*  
 CHARLES W. PLOWE LIC. NO. 16227  
 DATE: 10.13.2017

**LAKE ELMO RESIDENTIAL**  
**LAKE ELMO, MINNESOTA**  
 PRELIMINARY GRADING & DRAINAGE PLAN

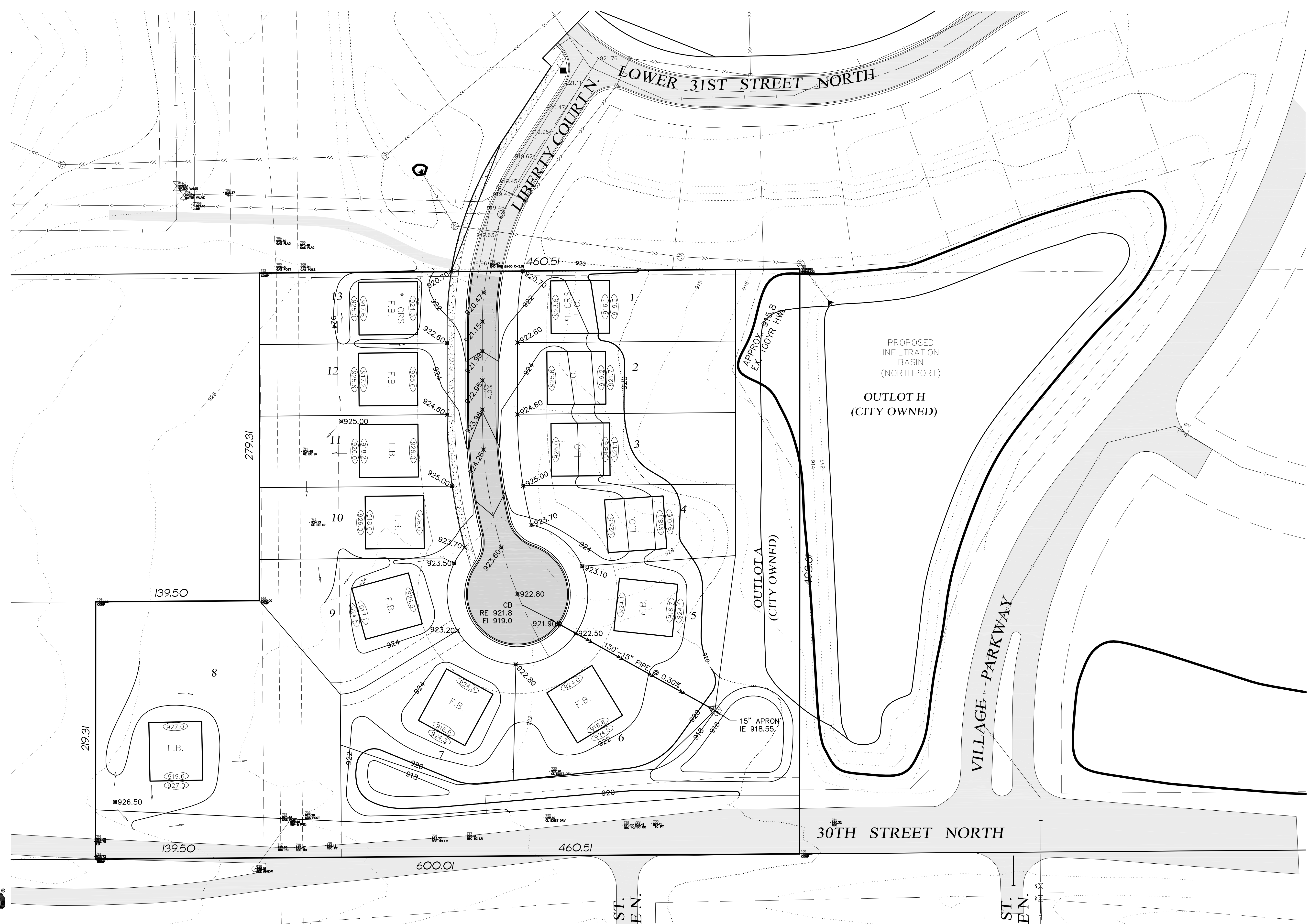
PREPARED FOR:  
 J.P. BUSH HOMES



SITE PLANNING & ENGINEERING  
**PLOWE ENGINEERING, INC.**  
 6776 LAKE DRIVE  
 SUITE 110  
 LINO LAKES, MN 55014  
 PHONE: (651) 361-8210  
 FAX: (651) 361-8701



**C2**



10/12/2017 17-1724 LAKE ELMO RESIDENTIAL-1724 CAD/17-1724 BASE 1.dwg



Know what's below.  
 Call before you dig.

**PRELIMINARY GRADING & DRAINAGE PLAN  
 LAKE ELMO RESIDENTIAL**



Landmark Surveying, Inc.

21090 Olinda Trail North  
P.O. Box 65  
Scandia, Minnesota 55073

Office number: 651-433-3421  
Cell number: 651-755-5760  
E-mail: inthefield@frontiernet.net

# LOW DENSITY RESIDENTIAL - CONCEPT SUBDIVISION

Part of the Southwest Quarter of the Southeast Quarter of Section 13, Township 29 North, Range 21 West,  
City of Lake Elmo, Washington County, Minnesota

Developer:



**J.P. Bush**  
HOMES  
1980 Quasar The South  
Lakeland, Minnesota 55043

Property Owner:

James R. McLeod Revocable Trust  
11580 30th Street North  
Lake Elmo, Minnesota 55042

PID:13.029.21.43.0001

TOTAL PARCEL AREA = 5.9 acres ±

Proposed Lots = 13

Existing Zoning = RS - RURAL SINGLE FAMILY

Proposed Zoning - LDR - URBAN LOW DENSITY RESIDENTIAL

Property Description:

Quit Claim Deed, Document No. 3102032

Sec 13 Twp 029 Range 021

The east 460.50 feet of the west 1273.00 feet of the south 498.60 feet,  
and also the east 139.50 feet of the west 812.50 feet of the south  
219.30 feet of the SW 1/4 of SE 1/4 of Section 13, Township 29,  
Range 21

Concept Notes:

Building locations were traced from aerial photography.

Contours are at 2 foot intervals and derived from data provided by the Minnesota  
Department of Natural Resources and data per the preliminary plat of Northport.

REVISED: OCTOBER 11, 2017

OFFICIAL COPIES OF THIS MAP ARE CRIMP SEALED

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

Landmark Surveying, Inc.

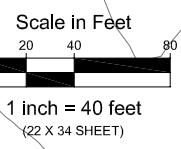
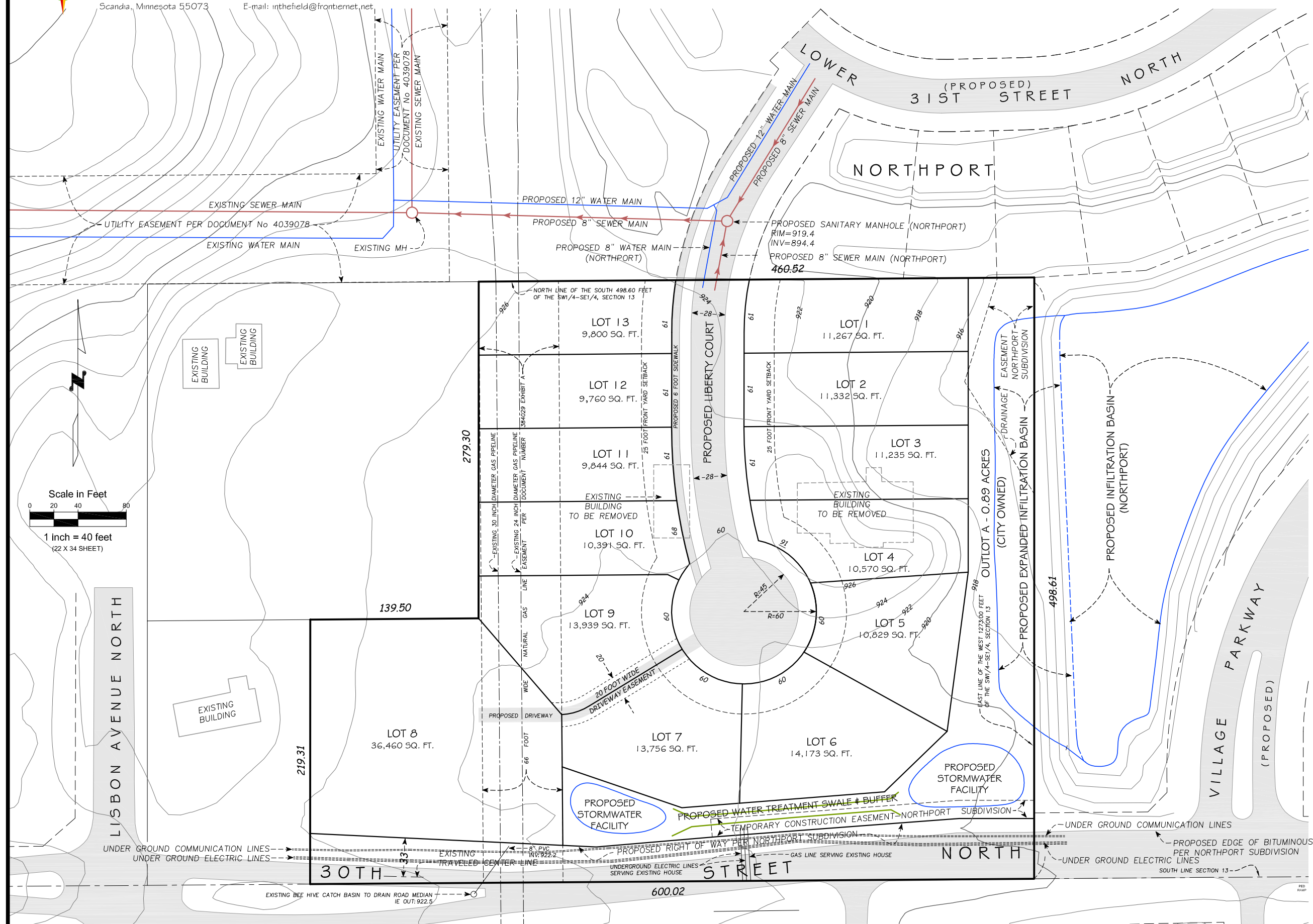
*Milo B. Horak*

Milo B. Horak, Minnesota License No. 52577

June 01, 2017

Date

Job No. 2016-70



FEED RAMP

# MEMORANDUM

# FOCUS ENGINEERING, inc.

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

Date: October 20, 2017

---

To: Emily Becker, Planning Director  
Cc: Chad Isakson, Assistant City Engineer  
From: Jack Griffin, P.E., City Engineer

Re: McLeod Residential Subdivision  
Concept Plan Review

---

An engineering review has been completed for the McLeod Residential Subdivision Concept Plan. The submittal consisted of the following documentation received on October 13, 2017.

- Residential Concept Subdivision dated October 11, 2017 and prepared by Landmark Surveying, Inc.
  - Preliminary Grading and Drainage Plan dated October 13, 2017 and prepared by PLOWE Engineering.
  - Comprehensive Plan Amendment Narrative dated September 15, 2017.
- 

We have the following review comments:

All public improvements constructed to support the development must be designed and constructed in accordance with the City Engineering Design Standards Manual available on the City website dated March, 2017.

## SITE PLAN AND TRANSPORTATION

- Access Management. The Concept plan shows access to the plat from the Northport subdivision along Liberty Court. This access was pre-planned with the adjacent subdivision and preserves the proper access management along 30th Street North.
- Right-of-way dedication. The Plat must dedicate additional right-of-way along 30th Street North to ensure a minimum 30th Street boulevard of 16 ft. along the entire length of the plat. In addition a 10 ft. utility corridor must be reserved (at boulevard grades) for small utilities. The proposed Stormwater facilities (including the 100-year HWL) cannot encroach the 10 ft. utility corridor.
- Screening along 30th Street is recommended. The south boundary of the subdivision is along the north boulevard of 30th Street North and proposes two storm water ponds connected by a drainage swale. It is recommended that additional space be allocated at elevations higher than 30th Street to create a vegetative buffer between the lots and this collector street.
- More land area is likely needed to be allocated for storm water management. The preliminary grading plan already shows pond encroachment onto Lots 6 and 7. Also, additional pond depth must be provided to meet City pond construction requirements.
- Lots 9-13 include large areas of gas main easement with 2 large diameter gas mains. There is no useable rear yard along these lots.
- Lot Easements (front, rear and side yard) should be shown on the plans meeting City requirements.

## RESIDENTIAL STREETS

- Lot 8 is proposed to access Liberty Court with a 20 ft. driveway easement on Lots 7 and 9. It is recommended that this easement be revised as a 30 ft. minimum width Outlot to be owned by Lot 8.

- Public street standards. Liberty Court must be designed to meet the City's Engineering Design Standards. A 60 ft. right-of-way width with 28 ft. wide street has been shown as required; and a 60 ft. cul-de-sac R/W radius with 45 ft. cul-de-sac pavement radius has been shown as required.
- Liberty Court will result in a 510 ft. long cul-de-sac, meeting City standards.
- The residential maximum longitudinal grade is 6% with a sidewalk.
- Surmountable concrete curb and gutter shall be installed in single family residential areas with future driveways.
- Pedestrian facilities: A 6 ft. wide sidewalk has been shown along Liberty Court as required. The City should review any potential connections to this sidewalk.
- Ten (10) foot utility easements are required on either side of all right-of-ways.

#### STORMWATER MANAGEMENT

- The site plan is subject to a storm water management plan meeting State, VBWD and City rules.
- Storm water facilities proposed as part of the site plan to meet State and VBWD permitting requirements must be constructed in accordance with the City Engineering Design Standards Manual.
- The general drainage system should mimic the natural topography of the site in order to ensure a drainage system that provides positive storm water drainage across the development.
- Overland emergency overflows or outlets will be required as part of the site plan.
- Grading restrictions along the Northern Natural Gas easement must be adhered to as part of the development plans. It is unclear how drainage within the NNG easement will be captured and conveyed to the storm water facilities.
- Liberty Court drainage must be captured and treated on-site. A significant portion of the street is shown draining to the Northport subdivision. The Northport storm water management plan does not account for this additional impervious areas.
- The ultimate discharge rate and location will be an important consideration. The storm water management plan will need to address changes to the downstream drainage system to the extent alterations are proposed. To the extent adjacent properties are impacted, written permission from those properties must be submitted as part of the development applications.
- It appears that all storm water facilities (ponds and infiltration basins) have been placed in Outlots. These Outlots will be deeded to the City for maintenance purposes. The Stormwater Facility Outlots must fully incorporate the 100-year HWL, 10 foot maintenance bench and all maintenance access roads.
- Maintenance access roads meeting City standards must be provided for all storm water facilities and must be within Outlots dedicated to the City.
- The storm sewer system shall be designed to maintain the City standard **minimum** pipe cover of 3.0 feet. Drain tile is required as part of the City standard street section at all localized low points in the street. Drain tile considerations may impact the storm sewer design and depth requirements at low points.
- Per City requirements all storm sewer pipe easements must be a minimum 30-feet in width. No drainage and utility easement is shown for the storm sewer pipe along the Lot 5 and Lot 6 property line.

#### MUNICIPAL WATER SUPPLY

- Municipal water supply is available immediately adjacent to the proposed development along Liberty Court. The applicant is responsible to extend the municipal water into the development site at developer's cost.
- No trunk watermain oversizing is anticipated for this development.

#### MUNICIPAL SANITARY SEWER

- Municipal sanitary sewer is available immediately adjacent to the proposed development along Liberty Court. The applicant is responsible to extend sanitary sewer into the development site at developer's cost.
- No trunk sewer oversizing is anticipated.

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

**RESOLUTION NO. 2017-130**

*A RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF PID# 13.029.21.43.0001 FROM RURAL SINGLE FAMILY TO URBAN LOWDENSITY RESIDENTIAL AND TO AUTHORIZE STAFF TO SUBMIT A COMPREHENSIVE PLAN AMENDMENT FOR SAME TO THE METROPOLITAN COUNCIL*

**WHEREAS**, the City of Lake Elmo (the “City”) has established a Comprehensive Plan that provides a compilation of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and

**WHEREAS**, JP Bush Homes, 1980 Quasar Avenue South, Lakeland, MN 55043 (the “Applicant”) has submitted an application to the City to amend the Comprehensive Plan, a copy of which is on file in the City Planning Department; and

**WHEREAS**, the request to amend the Comprehensive Plan was submitted by the Applicant along with a Subdivision Sketch Plan Review which includes 13 single-family residential detached homes on 5.97 acres, and

**WHEREAS**, the Planning Commission held a public hearing on November 13, 2017 to consider the Applicant’s requests; and

**WHEREAS**, the Planning Commission adopted a motion to recommend approval to the City Council on the Applicant’s requests; and

**WHEREAS**, the City Council reviewed the Planning Commission and public comments regarding the Applicant’s requests at its meeting on November 21, 2017; and

**WHEREAS**, the City Council has reviewed the Comprehensive Plan amendment and believes that it is consistent with the spirit and intent of the Comprehensive Plan.

**NOW THEREFORE BE IT RESOLVED** based upon the testimony elicited and information received, the City Council makes the following findings of fact:

**FINDINGS**



1. That the Applicant has submitted a request to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and Lake Elmo Planning Commission; and
2. That the request is to amend the Comprehensive Land Use Plan:
  - a. On page III-11, updating Table 3-B to reflect proposed increased acreage of Village Urban Low Density Residential and decreased acreage of Rural Single Family.
  - b. Updating Map 3-3 – the planned land use map.
3. That the proposed amendments are consistent with the overall goals and objectives of the Comprehensive Plan in that the Property is within the Metropolitan Urban Service Area.

**NOW, THEREFORE, BE IT RESOLVED**, that based on the above findings of fact, the Lake Elmo City Council hereby approves the Applicant's request to amend the Comprehensive Plan as follows:

1. Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that its review has been completed and approved.
2. That the Applicant obtain Preliminary Plat approval from the City that meets the following:
  - a. Required densities of the Village Urban Low Density land use category.
  - b. Provides a sufficient Greenbelt Corridor as indicated in the Comprehensive Plan and approved by the City.
  - c. Provides a usable rear yard for lots in which the Northern Natural Gas Company Easement (Document 384029) ("Northern Easement") is located, as determined by the City; or receives approval from the City for required rear yards for lots in which the Northern Easement is located, in which building, creating, constructing, or allowing to be built any hard surface road, building, or other structure as well as altering the grade or permitting such alteration upon which Northern Natural Gas Company has reserved its Easement rights without the written consent of Northern.
  - d. All other applicable standards including but not limited to City Engineer Design Standards, Valley Branch Watershed District requirements, and zoning standards.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Lake Elmo City Council hereby authorizes and directs staff to submit a Comprehensive Plan amendment and MUSA expansion request consistent herewith to the Metropolitan Council for review and approval, contingent upon the City's preliminary approval of the plat based on the Concept Planned Unit Development Plan as proposed by the Applicant.

Passed and duly adopted this 21<sup>st</sup> day of November 2017, by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk



## STAFF REPORT

DATE: November 21, 2017

**REGULAR**

ITEM: #16

**MOTION**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Brian A. Swanson – Finance Director  
**AGENDA ITEM:** Debt Management Policy Discussion  
**REVIEWED BY:** Kristina Handt, City Administrator

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### **BACKGROUND:**

Per several Finance Committee meetings, staff presented information regarding the original Debt Management Policy and a revised Debt Management Policy for review and discussion. Based on these discussions, the Finance Committee provided clarity to the revised policy, subsequently approved it, and recommended it be considered by the City Council for approval. Therefore, staff wanted to provide the City Council with the opportunity to review the revised debt management policies, and consider adoption of the revised Debt Management Policy this evening.

### **ITEMS OR QUESTIONS BEFORE THE FINANCE COMMITTEE:**

- 1) Should the Council approve the attached Debt Management Policy approved by the Finance Committee on November 9, 2017?

### **DISCUSSION:**

Staff thought it would be useful to provide the City Council with some context regarding the original Debt Management Policy as well as the revised Debt Management Policy for review, comment and consideration. The main differences between the original policy, which was adopted on April 2, 2013, and the revised policy for consideration are as follows:

- 1) Enhanced discussion on key areas such as Credit Ratings, Financial Disclosure, Purposes and Uses of Debt, and Refunding of Debt.
- 2) New sections on Debt Administration and Practices, and Post Issuance Debt Compliance Policy are the result of new regulations that took effect after approval of the last policy, and are related to internal record keeping and external reporting.

By regularly analyzing, discussing and updating the policy as needed helps to ensure sound financial management concerning debt issuance and management. Further, review of governing and oversight bodies helps to ensure the policies and procedures are in congruence with the goals of those entities.

### **FISCAL IMPACT:**

Monetarily, the impact will be absorbed by the appropriate City fund(s) as part of the legal and external administration, which occurs for each debt issuance and is usually consolidated into the issuance costs of

each bond issue. From a staffing perspective, it is opportunity cost as they prepare information for each bond issue, perform operational work over the duration of the issue, and comply with related regulations.

**RECOMMENDATION:**

- 1) Motion to approve the attached City of Lake Elmo Debt Management Policy – Revised - November 21, 2017.

**ATTACHMENT:**

- 1) City of Lake Elmo Debt Management Policy – Revised – November 21, 2017



## **CITY OF LAKE ELMO DEBT MANAGEMENT POLICY**

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### **PURPOSE**

The use of borrowing and the issuance of debt is an important and flexible financing mechanism available to the City of Lake Elmo. The issuance of debt allows capital improvements to proceed when necessary and in advance of when it may otherwise be feasible. It can reduce long-term costs due to inflation, potentially reduce opportunity cost, and equalize the costs of improvements to present and future property owners and customers of the City.

### **POLICY STATEMENT**

It is the policy of the City of Lake Elmo to establish guidelines for the use of debt in financing capital acquisitions, repayment of debt, and management of the overall level of debt in the city.

- A. Credit Ratings:** The City of Lake Elmo seeks to maintain the highest possible credit ratings for all categories of short-term and long-term General Obligation debt that can be achieved without compromising delivery of basic City services and achievement of adopted City policy objectives.

The City recognizes that external economic, natural, or other events may from time to time affect the creditworthiness of its debt. Nevertheless, the Mayor, City Council, and Finance Committee are committed to ensuring that actions within their control are prudent and consistent with the highest standards of public financial management, and supportive of the creditworthiness objectives defined herein.

- B. Financial Disclosure:** The City is committed to full and complete financial disclosure, and to cooperating fully with rating agencies, institutional and individual investors, City departments and agencies, other levels of government, and the general public to share clear, comprehensible, and accurate financial information. The City is committed to meeting disclosure requirements on a timely and comprehensive basis.

Official statements accompanying debt issues, Comprehensive Annual Financial Reports, and continuing disclosure statements will meet (at a minimum) the standards articulated by the Municipal Standards Rulemaking Board (MSRB), the Government Accounting Standards Board (GASB), the National Federation of Municipal Analysts, the Securities and Exchange Commission (SEC), and Generally Accepted Accounting Principles (GAAP). The Finance Department shall be responsible for ongoing disclosure to established nationally recognized municipal securities information repositories (NRMSIRs) and for maintaining compliance with disclosure standards promulgated by state and national regulatory bodies.

**C. Debt Capacity:** The City will keep outstanding debt within the limits prescribed by State statute and at levels consistent with its creditworthiness objectives.

**D. Purposes and Uses of Debt:** The City will normally rely on existing funds, project revenues, and grants from other governments to finance capital projects such as major maintenance, small equipment acquisition, and small development projects. Debt may be used for purchases of large equipment, and for capital projects, which may generate revenues over time that are used to retire the debt entirely, have a property tax levy contribution and project revenue component, or are fully supported by a property tax levy. It is the intent to determine which financing mechanism(s) are the most beneficial to the City, while also considering the appropriate means to achieve a fair allocation of costs between current and future beneficiaries.

**a. Asset Life:** The City will consider the use of debt for the acquisition, development, replacement, maintenance, or expansion of an asset only if it has a useful life of at least five years. Debt will not be issued for periods exceeding the useful life or average useful lives of the project or projects to be financed.

**b. Project Financing:** If possible, the City's goal is to make a cash contribution to any project with an expected useful life of less than 10 years, rather than relying on 100% debt financing.

**c. Debt Standards and Structure:** Debt will be structured for the shortest period consistent with a fair allocation of costs to current and future beneficiaries or users. Debt will be structured to achieve the lowest possible net cost to the City given market conditions, the urgency of the capital project, net revenues expected from the project (if any), and the nature and type of security provided. Moreover, to the extent possible, the City will design the repayment of its overall debt so as to recapture rapidly its credit capacity for future use. The City shall strive to repay at least 50 percent within ten years.

**d. Backloading:** The City will seek to structure debt with reasonably consistent principal and interest costs over the life of the debt. "Backloading" of costs will be considered only when natural disasters or extraordinary or unanticipated external factors make the short-term cost of the debt prohibitive, when the benefits derived from the debt issuance can clearly be demonstrated to be greater in the future than in the present, when such structuring is beneficial to the City's overall amortization schedule, or when such structuring will allow debt service to more closely match project revenues during the early years of the project's operation.

**E. Refunding of Debt:**

**a.** Advance refunding bonds shall not be utilized unless present value savings of 4% to 5% of refunded principal is achieved and unless the call date is within 3 years. The state law minimum is 3% of refunded principal. Bonds shall not be advance refunded if there is a reasonable chance that revenues will be sufficient to pre-pay the debt at the call date.

- b. Current refunding bonds shall be utilized when present value savings of 3% of refunded principal is achieved or in concert with other bond issues to save costs of issuance.
- c. Special assessment or revenue debt will not be refunded unless the Finance Director determines that special assessments or other sufficient revenues will not be collected soon enough to pay off the debt fully at that call date.

**F. Debt Administration and Practices:** In general, City debt will be issued through a competitive bidding process. Bids will be awarded on a true interest cost basis (TIC), providing other bidding requirements are satisfied. In the event that the City receives more than one bid with identical TICs, the tie may be broken by a flip of a coin.

- a. **Municipal Advisor:** The City will retain an external municipal advisor, selected by the City's Finance Department. The utilization of the municipal advisor for particular bond sales will be at the discretion of the Finance Director on a case by case basis and pursuant to the municipal advisory services contract. The municipal advisors will have comprehensive municipal debt issuance experience with diverse financial structuring requirements and pricing of municipal securities.
- b. **Bond Counsel:** The City will retain external bond counsel for all debt issues. No debt will be issued by the City without a written opinion by bond counsel affirming that the City is authorized to issue the debt, stating that the City has met all state constitutional and statutory requirements necessary for issuance, and determining the debt's federal income tax status.
- c. **Fiscal Agents:** The Finance Department will utilize a fiscal agent on all City indebtedness. Fiscal agent fees for outstanding bonds will be paid from the Bond Interest and Redemption Fund, unless specified otherwise by the Finance Director.
- d. **Disclosure:** The city shall comply with SEC rule 15(c)2(12) on primary and continuing disclosure. Continuing disclosure reports shall be filed no later than 180 days after receipt of the city's annual financial report.
- e. **Arbitrage:** The city shall complete an arbitrage rebate report for each issue no less than every five years after its date of issuance.
- f. **Communication:** The city will maintain frequent and regular communications with bond rating agencies about its financial condition and will follow a policy of full disclosure in every financial report and bond prospectus. The city will comply with Securities Exchange Commission (SEC) reporting requirements.
- g. **Reporting:** The City will report at least annually the outstanding bonds to the City Council and Finance Committee.

**G. Post Issuance Debt Compliance Policy:** The City of Lake Elmo, Minnesota (the "Issuer") issues tax-exempt governmental bonds ("TEBs") to finance various public projects. As an issuer of TEBs, the Issuer is required by the terms of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated

thereunder (the “Treasury Regulations”), to take certain actions after the issuance of TEBs to ensure the continuing tax- exempt status of such bonds. In addition, Section 6001 of the Code and Section 1.6001-1(a) of the Treasury Regulations impose record retention requirements on the Issuer with respect to its TEBs. This Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds (the “Policy”) has been approved and adopted by the Issuer to ensure that the Issuer complies with its post-issuance compliance obligations under applicable provisions of the Code and Treasury Regulations.

1. Effective Date and Term. The effective date of this Policy is the date of approval by the City Council of the Issuer and this Policy shall remain in effect until superseded or terminated by action of the City Council of the Issuer.

2. Responsible Parties. The City’s Finance Director of the Issuer (the “Compliance Officer”) shall be the party primarily responsible for ensuring that the Issuer successfully carries out its post-issuance compliance requirements under applicable provisions of the Code and Treasury Regulations. The Compliance Officer will be assisted by the staff of the Issuer and other officials when appropriate. The Compliance Officer of the Issuer will also be assisted in carrying out post-issuance compliance requirements by the following organizations:

(a) Bond Counsel (as of the date of approval of this Policy, bond counsel for the Issuer is Dorsey & Whitney, LLP);

(b) Municipal Advisor (as of the date of approval of this Policy, the municipal advisor of the Issuer is Northland Securities, Inc.);

(c) Paying Agent (the person, organization, or officer of the Issuer primarily responsible for providing paying agent services for the Issuer); and

(d) Rebate Analyst (the organization primarily responsible for providing rebate analyst services for the Issuer).

The Compliance Officer shall be responsible for assigning post-issuance compliance responsibilities to members of the Finance Department and other staff of the Issuer, Bond Counsel, Paying Agent, and Rebate Analyst. The Compliance Officer shall utilize such other professional service organizations as are necessary to ensure compliance with the post-issuance compliance requirements of the Issuer. The Compliance Officer shall provide training and educational resources to Issuer staff responsible for ensuring compliance with any portion of the post-issuance compliance requirements of this Policy.

3. Post-Issuance Compliance Actions. The Compliance Officer shall take the following post-issuance compliance actions or shall verify that the following post-issuance compliance actions have been taken on behalf of the Issuer with respect to each issue of TEBs:

(a) The Compliance Officer shall prepare a transcript of principal documents (this action will be the primary responsibility of Bond Counsel).



(b) The Compliance Officer shall file with the Internal Revenue Service (the “IRS”), within the time limit imposed by Section 149(e) of the Code and applicable Treasury Regulations, an Information Return for Tax-Exempt Governmental Obligations, Form 8038- G (this action will be the primary responsibility of Bond Counsel).

(c) The Compliance Officer shall prepare an “allocation memorandum” for each issue of TEBs in accordance with the provisions of Treasury Regulations, Section 1.148-6(d)(1), that accounts for the allocation of the proceeds of the tax-exempt bonds to expenditures not later than the earlier of:

(i) eighteen (18) months after the later of (A) the date the expenditure is paid, or (B) the date the project, if any, that is financed by the tax-exempt bond issue is placed in service; or

(ii) the date sixty (60) days after the earlier of (A) the fifth anniversary of the issue date of the tax-exempt bond issue, or (B) the date sixty (60) days after the retirement of the tax- exempt bond issue.

Preparation of the allocation memorandum will be the primary responsibility of the Compliance Officer (in consultation with the Municipal Advisor and Bond Counsel).

(d) The Compliance Officer, in consultation with Bond Counsel, shall identify proceeds of TEBs that must be yield-restricted and shall monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted.

(e) In consultation with Bond Counsel, the Compliance Officer shall determine whether the Issuer is subject to the rebate requirements of Section 148(f) of the Code with respect to each issue of TEBs. In consultation with Bond Counsel, the Compliance Officer shall determine, with respect to each issue of TEBs of the Issuer, whether the Issuer is eligible for any of the temporary periods for unrestricted investments and is eligible for any of the spending exceptions to the rebate requirements. The Compliance Officer shall contact the Rebate Analyst (and, if appropriate, Bond Counsel) prior to the fifth anniversary of the date of issuance of each issue of TEBs of the Issuer and each fifth anniversary thereafter to arrange for calculations of the rebate requirements with respect to such TEBs. If a rebate payment is required to be paid by the Issuer, the Compliance Officer shall prepare or cause to be prepared the Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate, Form 8038-T, and submit such Form 8038-T to the IRS with the required rebate payment. If the Issuer is authorized to recover a rebate payment previously paid, the Compliance Officer shall prepare or cause to be prepared the Request for Recovery of Overpayments Under Arbitrage Rebate Provisions, Form 8038-R, with respect to such rebate recovery, and submit such Form 8038-R to the IRS.

4. Procedures for Monitoring, Verification, and Inspections. The Compliance Officer shall institute such procedures as the Compliance Officer shall deem necessary and appropriate to monitor the use of the proceeds of TEBs issued by the Issuer, to verify that certain post-issuance compliance actions have been taken by the Issuer, and to provide for

the inspection of the facilities financed with the proceeds of such bonds. At a minimum, the Compliance Officer shall establish the following procedures:

- (a) The Compliance Officer shall monitor the use of the proceeds of TEBs to:
  - (i) ensure compliance with the expenditure and investment requirements under the temporary period provisions set forth in Treasury Regulations, Section 1.148-2(e);
  - (ii) ensure compliance with the safe harbor restrictions on the acquisition of investments set forth in Treasury Regulations, Section 1.148-5(d);
  - (iii) ensure that the investments of any yield-restricted funds do not exceed the yield to which such investments are restricted; and
  - (iv) determine whether there has been compliance with the spend-down requirements under the spending exceptions to the rebate requirements set forth in Treasury Regulations, Section 1.148-7.
  
- (b) The Compliance Officer shall monitor the use of all bond-financed facilities in order to:
  - (i) determine whether private business uses of bond-financed facilities have exceeded the *de minimis* limits set forth in Section 141(b) of the Code as a result of leases and subleases, licenses, management contracts, research contracts, naming rights agreements, or other arrangements that provide special legal entitlements to nongovernmental persons; and
  - (ii) determine whether private security or payments that exceed the *de minimis* limits set forth in Section 141(b) of the Code have been provided by nongovernmental persons with respect to such bond-financed facilities. The Compliance Officer shall provide training and educational resources to any Issuer staff who have the primary responsibility for the operation, maintenance, or inspection of bond-financed facilities with regard to the limitations on the private business use of bond-financed facilities and as to the limitations on the private security or payments with respect to bond-financed facilities.
  
- (c) The Compliance Officer shall undertake the following with respect to each outstanding issue of TEBs of the Issuer:
  - (i) an annual review of the books and records maintained by the Issuer with respect to such bonds; and
  - (ii) an annual physical inspection of the facilities financed with the proceeds of such bonds, conducted by the Compliance Officer with the assistance with any Issuer staff who have the primary responsibility for the operation, maintenance, or inspection of such bond-financed facilities.

5. Record Retention Requirements. The Compliance Officer shall collect and retain the following records with respect to each issue of TEBs of the Issuer and with respect to the facilities financed with the proceeds of such bonds: (i) audited financial statements of the Issuer; (ii) appraisals, demand surveys, or feasibility studies with respect to the facilities to be financed with the proceeds of such bonds; (iii) publications, brochures, and newspaper articles related to the bond financing; (iv) trustee or paying agent statements; (v) records of all investments and the gains (or losses) from such investments; (vi) paying agent or trustee statements regarding investments and investment earnings; (vii) reimbursement resolutions and expenditures reimbursed with the proceeds of such bonds; (viii) allocations of proceeds to expenditures (including costs of issuance) and the dates and amounts of such expenditures (including requisitions, draw schedules, draw requests, invoices, bills, and cancelled checks with respect to such expenditures); (ix) contracts entered into for the construction,

renovation, or purchase of bond-financed facilities; (x) an asset list or schedule of all bond-financed depreciable property and any depreciation schedules with respect to such assets or property; (xi) records of the purchases and sales of bond-financed assets; (xii) private business uses of bond-financed facilities that arise subsequent to the date of issue through leases and subleases, licenses, management contracts, research contracts, naming rights agreements, or other arrangements that provide special legal entitlements to nongovernmental persons and copies of any such agreements or instruments; (xiii) arbitrage rebate reports and records of rebate and yield reduction payments; (xiv) resolutions or other actions taken by the governing body subsequent to the date of issue with respect to such bonds; (xv) formal elections authorized by the Code or Treasury Regulations that are taken with respect to such bonds; (xvi) relevant correspondence relating to such bonds; (xvii) documents related to guaranteed investment contracts or certificates of deposit, credit enhancement transactions, and financial derivatives entered into subsequent to the date of issue; (xviii) copies of all Form 8038-Ts and Form 8038-Rs filed with the IRS; and (xix) the transcript prepared with respect to such TEBs. The records collected by the Issuer shall be stored in any format deemed appropriate by the Compliance Officer and shall be retained for a period equal to the life of the TEBs with respect to which the records are collected (which shall include the life of any bonds issued to refund any portion of such TEBs or to refund any refunding bonds) plus three (3) years.

6. Remedies. In consultation with Bond Counsel, the Compliance Officer shall become acquainted with the remedial actions under Treasury Regulations, Section 1.141-12, to be utilized in the event that private business use of bond-financed facilities exceeds the *de minimis* limits under Section 141(b)(1) of the Code. In consultation with Bond Counsel, the Compliance Officer shall become acquainted with the Tax Exempt Bonds Voluntary Closing Agreement Program described in Notice 2008-31, 2008-11 I.R.B. 592, to be utilized as a means for an issuer to correct any post-issuance infractions of the Code and Treasury Regulations with respect to outstanding tax-exempt bonds.

7. Continuing Disclosure Obligations. In addition to its post-issuance compliance requirements under applicable provisions of the Code and Treasury Regulations, the Issuer has agreed to provide continuing disclosure, such as annual financial information and material event notices, pursuant to a continuing disclosure certificate or similar document (the “Continuing Disclosure Document”) prepared by Bond Counsel and made a part of the transcript with respect to each issue of bonds of the Issuer that is subject to such continuing disclosure requirements. The Continuing Disclosure Documents are executed by the Issuer to assist the underwriters of the Issuer’s bonds in meeting their obligations under Securities and Exchange Commission Regulation, 17 C.F.R. Section 240.15c2-12, as in effect and interpreted from time to time (“Rule 15c2-12”). The continuing disclosure obligations of the Issuer are governed by the Continuing Disclosure Documents and by the terms of Rule 15c2-12. The Compliance Officer is primarily responsible for undertaking such continuing disclosure obligations and to monitor compliance with such obligations.

8. Other Post-Issuance Actions. If, in consultation with Bond Counsel, Municipal Advisor, Paying Agent, Rebate Analyst, or the City Council, the Compliance Officer determines that any additional action not identified in this Policy must be taken by the Compliance Officer to ensure the continuing tax-exempt status of any issue of governmental bonds of the Issuer, the Compliance Officer shall take such action if the Compliance Officer

has the authority to do so. If, after consultation with Bond Counsel, Municipal Advisor, Paying Agent, Rebate Analyst, or the City Council, the Compliance Officer determines that this Policy must be amended or supplemented to ensure the continuing tax-exempt status of any issue of governmental bonds of the Issuer, the Compliance Officer shall recommend to the City Council that this Policy be so amended or supplemented.

9. Taxable Governmental Bonds. Most of the provisions of this Policy, other than the provisions of Section 7, are not applicable to governmental bonds the interest on which is includable in gross income for federal income tax purposes. On the other hand, if an issue of taxable governmental bonds is later refunded with the proceeds of an issue of tax-exempt governmental refunding bonds, then the uses of the proceeds of the taxable governmental bonds and the uses of the facilities financed with the proceeds of the taxable governmental bonds will be relevant to the tax-exempt status of the governmental refunding bonds. Therefore, if there is any reasonable possibility that an issue of taxable governmental bonds may be refunded, in whole or in part, with the proceeds of an issue of TEBs, then for purposes of this Policy, the Compliance Officer shall treat the issue of taxable governmental bonds as if such issue were an issue of TEBs and shall carry out and comply with the requirements of this Policy with respect to such taxable governmental bonds. The Compliance Officer shall seek the advice of Bond Counsel as to whether there is any reasonable possibility of issuing TEBs to refund an issue of taxable governmental bonds.

10. Qualified 501(c)(3) Bonds. If the City issues bonds to finance a facility to be owned by the City but which may be used, in whole or in substantial part, by a nongovernmental organization that is exempt from federal income taxation under Section 501(a) of the Code as a result of the application of Section 501(c)(3) of the Code (a “501(c)(3) Organization”), the City may elect to issue the bonds as “qualified 501(c)(3) bonds” the interest on which is exempt from federal income taxation under Sections 103 and 145 of the Code and applicable Treasury Regulations. Although such qualified 501(c)(3) bonds are not governmental bonds, at the election of the Compliance Officer, for purposes of this Policy, the Compliance Officer shall treat such issue of qualified 501(c)(3) bonds as if such issue were an issue of tax-exempt governmental bonds and shall carry out and comply with the requirements of this Policy with respect to such qualified 501(c)(3) bonds. Alternatively, in cases where compliance activities are reasonably within the control of the relevant 501(c)(3) Organization, the Compliance Officer may determine that all or some portion of compliance responsibilities described in this Policy shall be assigned to the relevant organization.

## **ROLE OF THE CITY COUNCIL, FINANCE COMMITTEE AND STAFF**

Relevant information will be brought to the City Council and Finance Committee when applicable to aid in policy, procedure and other key decision or direction regarding City business. As such, staff will provide applicable debt service information and where appropriate, suggest revisions to the policy for consideration. In addition, as the business needs and vision of the City Council and Finance Committee change, this policy can be reviewed and updated as necessary.



## STAFF REPORT

DATE: November 21, 2017

**REGULAR**

ITEM: #17

**MOTION**

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Brian A. Swanson – Finance Director  
**AGENDA ITEM:** Fund Balance/Net Position Policy Discussion  
**REVIEWED BY:** Kristina Handt, City Administrator

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### **BACKGROUND:**

Per several Finance Committee meetings, staff presented information regarding the original Fund Balance/Net Assets Policy and a revised Fund Balance/Net Position Policy for review and discussion. Based on these discussions, the Finance Committee provided clarity to the revised policy, subsequently approved it, and recommended it be considered by the City Council for approval. Therefore, staff wanted provide the City Council with the opportunity discuss the policy, and consider adoption of the revised Fund Balance/Net Position Policy this evening.

### **ITEMS OR QUESTIONS BEFORE THE FINANCE COMMITTEE:**

- 1) Should the Council approve the attached Fund Balance/Net Position Policy recommended by the Finance Committee on November 9, 2017?

### **DISCUSSION:**

Staff thought it would be useful to provide the City Council with some context regarding the original Fund Balance/Net Assets Policy as well as the revised Fund Balance/Net Position Policy for review, comment and consideration. The main differences between the original policy, which was adopted on April 2, 2013, and the revised policy for consideration are as follows:

- 1) Updated language to reflect Governmental Accounting Standards Board Statement Number 54 (GASB 54) for classifications of Fund Balance within Governmental Funds.
- 2) Updated Unassigned Fund Balance Percentage in the General Fund moving it from 35-50% to a target floor of 50-60% of the subsequent budgeted fiscal year expenditures.
- 3) Additional language regarding the General Fund in terms of appropriations and commitment of fund balance.
- 4) Removal of language that is not directly under the City's control regarding maintaining its bond rating.
- 5) Addition of a brief Debt Service section to capture all of the City's Governmental Funds.
- 6) Additional language regarding Proprietary Funds, such as Water, Sewer and Storm Water, including suggestions on unrestricted net position percentage targets.

By regularly analyzing, discussing and updating the policy as needed helps to ensure sound financial management concerning fund balance/net position. In addition, working to achieve adequate cash flow allows the City to be nimble and proactive if an opportunity arises that makes sound business sense. Finally, review of governing and oversight bodies helps to ensure the policies and procedures are in congruence with the goals of those entities.

**FISCAL IMPACT:**

The fiscal impact would be contingent upon the 2018 Proposed Budget that is adopted and the results of each fiscal year in terms of revenues and expenditures. As such, as of 12/31/16, the unassigned fund balance in the General Fund is \$3,279,815. Based on the 2017 Adopted Budget, expenditures are budgeted at \$3,915,386, which would result in an unassigned fund balance percentage in the General Fund of approximately 83% at 12/31/17. As of the most recent 2018 Proposed General Fund Budget the City Council received on November 14, 2017, expenditures are budgeted to be \$4,701,452, resulting in an unassigned fund balance percentage of 67% in the General Fund at 12/31/18.

**RECOMMENDATION:**

- 1) Motion to approve the attached City of Lake Elmo Fund Balance/Net Position Policy – Revised - November 21, 2017.

**ATTACHMENT:**

- 1) City of Lake Elmo Fund Balance/Net Position Policy – Revised – November 21, 2017



## **CITY OF LAKE ELMO FUND BALANCE/NET POSITION POLICY**

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### **PURPOSE**

It is important for the financial stability of the City of Lake Elmo to maintain fund balance/net position for unanticipated expenditures or unforeseen emergencies, as well as to provide adequate working capital for current operating needs so as to avoid short-term borrowing. The purpose of this policy is to establish appropriate fund balance/net position levels for each fund that is primarily supported by property tax revenues or user fees. This policy will help ensure that adequate resources are available to meet cash flow needs for carrying out the regular operations of the City, as well as to meet the fund balance/net position requirements that may be externally or internally imposed.

### **POLICY STATEMENT**

The City Council authorizes the City Administrator and/or the Finance Director to assign fund balance that reflects the City's intended use of those funds. When both restricted and unrestricted resources are available for use, it is the City's policy to first use restricted resources, and then use unrestricted resources as they are needed. When unrestricted resources are available for use, it is the City's policy to use resources in the following order; 1) committed 2) assigned 3) unassigned.

The fund balance classifications below apply only to Governmental Funds, not Proprietary Funds.

### **Classification of Fund Balance/Procedures**

**1. Nonspendable**

Amounts that cannot be spent because they are not in a spendable form or are legally or contractually required to be maintained intact. Examples are inventory or prepaid items.

**2. Restricted**

Amounts subject to externally enforceable legal restrictions. Examples include bond proceeds and grants.

**3. Unrestricted**

The total of committed fund balance, assigned fund balance, and unassigned fund balance:

- **Committed fund balance** – amounts that can be used only for the specific

purposes determined by a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.

- **Assigned fund balance** – amounts intended to be used for a specific purpose; intent can be expressed by the government body or by an official or body to which the governing body delegates the authority.
- **Unassigned fund balance** – residual amounts that are available for any purpose in the general fund. The General Fund should be the only fund that reports a positive unassigned fund balance amount. This classification is also used to account for deficit fund balances in other governmental funds.

## **Governmental Funds**

### **A. General Fund**

- The city will maintain unassigned fund balance in the General Fund with a target floor of 50-60% of the subsequent budgeted fiscal year expenditures, with any additional percentage point(s) be able to be set aside for approved capital purchases, or for reduction in debt service via defeasance or refunding; however, this need could fluctuate with each year's budget objectives.
- Annual proposed General Fund budgets shall include this benchmark policy. The City Council and Finance Committee shall review the amounts in fund balance in conjunction with the annual budget approval, and make adjustments as necessary to meet expected cash-flow needs.
- In the event the unassigned fund balance in the General Fund is determined to be less than the minimum requirement at the completion of any fiscal year, the city shall plan to adjust budget resources in the subsequent fiscal years to bring the fund balance into compliance with this policy, which could include increasing the property tax levy.
- The City Council may consider appropriating (for authorized purposes) year-end fund balance in excess of the policy level or increasing the minimum fund balance. An example of preferred use of excess fund balance would be for expenditures, such as:
  1. to fund capital items
  2. to fund a one-time (non-recurring) expenditure or grant match opportunity
  3. to provide for funding of obligations not previously recognized
  4. to fund a one-time unplanned revenue shortfall
  5. to fund an unplanned expenditure due to an emergency or disaster
  6. to retire existing debt
  7. to fund policy shifts by other governmental entities having a negative impact on the city
- Appropriation from the minimum fund balance shall require the approval of the City Council and shall be used only for non-recurring expenditures, unforeseen emergencies or immediate capital needs that cannot be



accommodated through current year savings. Replenishment recommendations will accompany the decision to utilize fund balance.

- At the discretion of the City Council, fund balance may be committed for specific purposes by resolution designating the specific use of fund balance and the amount. The resolution would need to be approved no later than the close of the reporting period and will remain binding unless removed in the same manner.

**B. Special Revenue Funds**

The city will maintain reserves in the Special Revenue funds at levels sufficient to provide working capital for current expenditure needs plus an amount that is estimated to be needed to meet legal restrictions, requirements by external funding sources and/or pay for future capital projects. Future capital projects must be identified and quantified in a written plan for the fund, which shall be included in the city's annual Capital Improvement Plan.

**C. Debt Service Funds**

The city will maintain reserves in the Debt Service funds at levels sufficient to provide working capital for current debt service expenditure needs plus an amount that is estimated to be needed to meet legal restrictions and requirements by external funding sources.

**D. Capital Project Funds**

The city will maintain reserves in the Capital Project funds at levels sufficient to provide working capital for current expenditure needs plus an amount that is estimated to be needed to meet legal restrictions, requirements by external funding sources and/or pay for future capital projects. Future capital projects must be identified and quantified in a written finance plan for the fund, which shall be included in the city's annual Capital Improvement Plan.

**Proprietary Funds**

**A. Enterprise Funds**

These funds were established to account for the operation of Water, Sewer, and Storm Water operations which are designed to be self-supporting from user charges.

*1) Water Utility*

This fund is used to account for the provision of water services to the customers of the City related to administration, operations, maintenance, billing and collection. This fund is financed predominantly through user charges.

**Unrestricted net position** - The City will strive to maintain an unrestricted net position in the Water Utility Fund of at least 50% of the subsequent budgeted fiscal year operating expenses. Since a significant source of revenue in the Water Utility Fund comes from user charges, maintaining an unrestricted net position that is equal to at least 50% of the budgeted fiscal year operating expenses ensures that sufficient resources are available to fund basic City functions between receipts of user charges.

**Restricted net position** – The City will restrict Water Availability Charges (WAC) for the purpose of infrastructure and capital expenses, and/or debt service.

## **2) Sewer Utility**

This fund is used to account for the provisions of sewer services to the customers of the City. All activities necessary to provide this utility to the customers are administration, operations, maintenance, billing and collection. This fund is financed predominantly through user charges.

**Unrestricted net position** - The City will strive to maintain an unrestricted net position in the Sewer Utility Fund of at least 50% of the subsequent budgeted fiscal year operating expenses. Since a significant source of revenue in the Sewer Utility Fund comes from user charges, maintaining an unrestricted net position that is equal to at least 50% of the budgeted fiscal year operating expenses ensures that sufficient resources are available to fund basic City functions between receipts of user charges.

**Restricted net position** – The City will restrict Sewer Availability Charges (SAC) for the purpose of infrastructure and capital expenses, and/or debt service.

## **3) Storm Water Utility**

This fund is used to account for the provision of storm water to the customers of the City related to administration, operations, maintenance, billing and collection. This fund is financed predominantly through user charges.

The City will strive to maintain an unrestricted net position in the Storm Water Utility Fund in the range of at least 50–65% of the subsequent budgeted fiscal year expenses. This will ensure that sufficient resources are available to fund basic Storm Water activities since user charges are billed annually.

## **ROLE OF THE CITY COUNCIL, FINANCE COMMITTEE AND STAFF**

Relevant information will be brought to the City Council and Finance Committee when applicable to aid in policy, procedure and other key decision or direction regarding City business. As such, staff will provide applicable fund balance or net position information and where appropriate, suggest revisions to the policy for consideration. In addition, as the business needs and vision of the City Council and Finance Committee change, this policy can be reviewed and updated as necessary.