



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, January 2, 2018 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. Public Comments/Inquires

D. Presentations

E. Consent Agenda

1. Approve Payment of Disbursements and Payroll
2. Designate Official Depositories of Funds-*Resolution 2018-001*
3. Designate Official Publication Newspaper of Record – *Resolution 2018-002*
4. Adopt Resolution Designating Data Practice Officials and Approving City's Data Practice Policy - *Resolution 2018-003*
5. Appoint City Attorney (Civil and Prosecution)
6. Appoint City Engineer and Approve Contract
7. Approve Expenditure for Mountain Bike Maps

F. Regular Agenda

8. Appoint 2018 Acting Mayor
9. Appoint Required Officials to Fire Relief Association Board of Trustees
10. Planning Commission Appointments
11. Parks Commission Appointment
12. 2018 Planning Commission Work Plan
13. 2018 Parks Commission Work Plan
14. 2018 Finance Committee Work Plan
15. Sign Ordinance Revisions - *Ordinance No 08-192, Resolution 2018-004*

G. Council Reports

H. Staff Reports and Announcements

I. Adjourn



STAFF REPORT

DATE: January 02, 2018
CONSENT

TO: Mayor and City Council
FROM: Amy La Belle, Accountant
AGENDA ITEM: Approve Disbursements
REVIEWED BY: Kristina Handt, City Administrator

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:

Claim #	Amount	Description
ACH	\$ 79,114.68	Payroll 12/21/17
46858-46892	\$ 100,053.05	Accounts Payable 01/02/18
2879-2883	\$ 12,270.57	Accounts Payable (Library Checks) 01/02/18
TOTAL	\$ 191,438.30	

RECOMMENDATION:

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

“Motion to approve the aforementioned disbursements in the amount of \$ 191,438.30.”

ATTACHMENTS:

1. Accounts Payable – check register

K. Hunt

Accounts Payable To Be Paid Proof List

User: Amy
Printed: 12/28/2017 - 3:20 PM
Batch: 031-12-2017

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
3D Specialties										
3DSPECIA										
200484	12/06/2017	158.66	0.00	01/04/2018	Post drive cap		-		No	0000
101-430-3120-42210	Equipment Parts					December 2017 payments made 1/4/18				
	200484 Total:	158.66								
200517	12/06/2017	324.76	0.00	01/04/2018	Lift station deliniators		-		No	0000
602-495-9450-44030	Repairs\Maint Imp Not Bldgs					December 2017 payments made 1/4/18				
	200517 Total:	324.76								
	3DSPECIA Total:	483.42								
	3D Specialties Total:	483.42								
Amazon Inc										
AMAZONIN										
20171110	11/10/2017	238.23	0.00	01/04/2018	Program Supplies		-		No	0000
206-450-5300-42500	Library Collection Maintenance									
	20171110 Total:	238.23								
	AMAZONIN Total:	238.23								
	Amazon Inc Total:	238.23								
Aspen Mills, Inc.										
ASPENMI										
207605	11/30/2017	51.40	0.00	01/04/2018	Medic Pants		-		No	0000
101-420-2220-44170	Uniforms									
	207605 Total:	51.40								
208877	12/20/2017	117.30	0.00	01/04/2018	Shirts - Sachs Jr		-		No	0000
101-420-2220-44170	Uniforms									
208877	12/20/2017	604.65	0.00	01/04/2018	Uniforms - Part-Time FF		-		No	0000
101-420-2220-44170	Uniforms									
	208877 Total:	721.95								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	ASPENMI Total:	773.35								
	Aspen Mills, Inc. Total:	773.35								
Bolton & Menk, Inc										
BOLTONME										
0211652	12/14/2017	2,521.00	0.00	01/04/2018	Easton Village 3rd Addition		-			No 0000
803-000-0000-22910	Developer Payments									December 2017 Payments with 1/4/18 Check
	0211652 Total:	2,521.00								
0211653	12/14/2017	11,545.97	0.00	01/04/2018	1-94 Lift Station Project - 2016.134		-			No 0000
602-495-9450-43150	Contract Services									December 2017 Payments with 1/4/18 Check
	0211653 Total:	11,545.97								
0211654	12/14/2017	5,883.00	0.00	01/04/2018	Northport 1st Addition		-			No 0000
803-000-0000-22910	Developer Payments									December 2017 Payments with 1/4/18 Check
	0211654 Total:	5,883.00								
0211655	12/14/2017	1,002.00	0.00	01/04/2018	Royal Golf Club (H.C. GD		-			No 0000
803-000-0000-22910	Developer Payments				Development)					December 2017 Payments with 1/4/18 Check
	0211655 Total:	1,002.00								
0211656	12/14/2017	3,050.00	0.00	01/04/2018	Southwind of Lake Elmo		-			No 0000
803-000-0000-22910	Developer Payments									December 2017 Payments with 1/4/18 Check
	0211656 Total:	3,050.00								
	BOLTONME Total:	24,001.97								
	Bolton & Menk, Inc Total:	24,001.97								
CenturyLink										
CENTURYL										
20171119	11/19/2017	219.65	0.00	01/04/2018	Phone Service - Library 1119-1218		-			No 0000
206-450-5300-43210	Telephone									
20171119	11/19/2017	20.64	0.00	01/04/2018	Internet Service - Library 1119-1218		-			No 0000
206-450-5300-43210	Telephone									
	20171119 Total:	240.29								
	CENTURYL Total:	240.29								
	CenturyLink Total:	240.29								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Cintas Corporation #754										
CINTAS										
754802666	12/05/2017	36.65	0.00	01/04/2018	Rugs & Restroom products - Library		-			No 0000
206-450-5300-44010	Repairs/Maint Bldg									
	754802666 Total:	36.65								
754808357	12/20/2017	131.67	0.00	01/04/2018	Uniforms		-			No 0000
101-430-3100-44170	Uniforms									
	754808357 Total:	131.67								
	CINTAS Total:	168.32								
	Cintas Corporation #754 Total:	168.32								
City of Roseville										
CTYROSEV										
224028	12/21/2017	5,228.33	0.00	01/04/2018	Monthly IT Service - December 2017		-			No 0000
101-410-1450-43180	Information Technology/Web									
	224028 Total:	5,228.33								
224059	12/21/2017	112.47	0.00	01/04/2018	Monthly Telephone - Admin Dec 2017		-			No 0000
101-410-1320-43210	Telephone									
224059	12/21/2017	23.66	0.00	01/04/2018	Monthly Telephone - Bldg Insp Dec 2017		-			No 0000
101-420-2400-43210	Telephone									
224059	12/21/2017	234.87	0.00	01/04/2018	Monthly Telephone - PW Dec 2017		-			No 0000
101-430-3100-43210	Telephone									
224059	12/21/2017	17.77	0.00	01/04/2018	Monthly Telephone - Engineering Dec 2017		-			No 0000
101-410-1930-43210	Telephone									
224059	12/21/2017	35.55	0.00	01/04/2018	Monthly Telephone - Finance Dec 2017		-			No 0000
101-410-1520-43210	Telephone									
224059	12/21/2017	49.30	0.00	01/04/2018	Monthly Telephone - Planning Dec 2017		-			No 0000
101-410-1910-43210	Telephone									
	224059 Total:	473.62								
	CTYROSEV Total:	5,701.95								
	City of Roseville Total:	5,701.95								
City of St. Paul										
CTYSTPAU										
25525	11/06/2017	193.94	0.00	01/04/2018	Asphalt		-			No 0000
101-430-3120-42240	Street Maintenance Materials					December 2017 payments made on 1/4/18				
	25525 Total:	193.94								
	CTYSTPAU Total:	193.94								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
	City of St. Paul Total:	193.94								
Confluence, Inc										
CONFLUEN										
14309	06/28/2017	7,371.18	0.00	01/04/2018	Parking lot design		-		No	0000
206-450-5300-44030	Repairs/Maint Imp Not Bldgs									
	14309 Total:	7,371.18								
14478	08/02/2017	3,637.43	0.00	01/04/2018	Parking lot design		-		No	0000
206-450-5300-44030	Repairs/Maint Imp Not Bldgs									
	14478 Total:	3,637.43								
	CONFLUEN Total:	11,008.61								
	Confluence, Inc Total:	11,008.61								
Coordinated Business Systems										
COORDIN										
CNIN262338	12/12/2017	746.79	0.00	01/04/2018	Library IT Support 120117-123117		-		No	0000
206-450-5300-43180	Information Technology									
	CNIN262338 Total:	746.79								
CNIN263007	12/21/2017	123.75	0.00	01/04/2018	Sharp MX-5141 Maint 122217-032118		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	CNIN263007 Total:	123.75								
	COORDIN Total:	870.54								
	Coordinated Business Systems Total:	870.54								
Core & Main LP										
CORE										
1230255	12/13/2017	303.04	0.00	01/04/2018	Hydrant & gate valve repair supplies		-		No	0000
601-494-9400-42270	Utility System Maintenance									
	1230255 Total:	303.04								
	CORE Total:	303.04								
	Core & Main LP Total:	303.04								
Delta Dental Of Minnesota										
DELTA										
39530213	12/19/2017	1,695.10	0.00	01/04/2018	January 2018 Premium		-		No	0000
101-000-0000-21706	Medical Insurance									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	39530213 Total:	1,695.10								
	DELTA Total:	1,695.10								
	Delta Dental Of Minnesota Total:	1,695.10								
Earl F. Andersen, Inc.										
EARLANDE										
115894	10/17/2017	354.58	0.00	01/04/2018	Street Signs - Hudson Blvd, Eagle Pt		-		No	0000
101-430-3120-42260	Sign Repair Materials									
	115894 Total:	354.58								
	EARLANDE Total:	354.58								
	Earl F. Andersen, Inc. Total:	354.58								
Friends of LE Sunfish Lake Prk										
FROFSUNF										
20171218	12/18/2017	4,364.00	0.00	01/04/2018	Roof Sheathing Installation - J&S		-		No	0000
803-000-0000-22920	Interpretive Nature Center				Siding					
	20171218 Total:	4,364.00								
	FROFSUNF Total:	4,364.00								
	Friends of LE Sunfish Lake Prk Total:	4,364.00								
Great America Financial										
GREATAM										
21825156	12/18/2017	382.76	0.00	01/04/2018	Sharp MX-5070 Maint	091017-120517	-		No	0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
	21825156 Total:	382.76								
	GREATAM Total:	382.76								
	Great America Financial Total:	382.76								
Hawkins, Inc.										
HAWKINS										
4188763	11/24/2017	25.00	0.00	01/04/2018	Water Treatment Chemicals		-		No	0000
601-494-9400-42160	Chemicals									
	4188763 Total:	25.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
HAWKINS Total:		25.00								
Hawkins, Inc. Total:		25.00								
Innovative Office Solutions										
INNOVAT										
IN1858978	12/12/2017	56.70	0.00	01/04/2018	Office Supplies		-		No	0000
101-420-2400-42000	Office Supplies									
IN1858978 Total:		56.70								
IN1859021	12/12/2017	43.13	0.00	01/04/2018	Office Supplies		-		No	0000
101-410-1910-42000	Office Supplies									
IN1859021	12/12/2017	4.22	0.00	01/04/2018	Office Supplies		-		No	0000
101-420-2400-42000	Office Supplies									
IN1859021 Total:		47.35								
IN1862835	12/14/2017	38.24	0.00	01/04/2018	Envelopes 1099, W-2		-		No	0000
101-410-1520-42000	Office Supplies									
IN1862835 Total:		38.24								
IN1869557	12/20/2017	73.47	0.00	01/04/2018	Envelopes Window		-		No	0000
101-410-1520-42000	Office Supplies									
IN1869557	12/20/2017	73.47	0.00	01/04/2018	Envelopes Window - UB		-		No	0000
601-494-9400-42000	Office Supplies									
IN1869557	12/20/2017	73.47	0.00	01/04/2018	Envelopes Window - UB		-		No	0000
602-495-9450-42000	Office Supplies									
IN1869557	12/20/2017	73.47	0.00	01/04/2018	Envelopes Window - UB		-		No	0000
603-496-9500-42000	Office Supplies									
IN1869557 Total:		293.88								
INNOVAT Total:		436.17								
Innovative Office Solutions Total:		436.17								
J.G. Hause Construction										
JGHAUSEC										
20171219	12/19/2017	5,000.00	0.00	01/04/2018	Escrow Refund 2016-362 1796 Lake Elmo Av		-		No	0000
803-000-0000-22900	Deposits Payable									
20171219 Total:		5,000.00								
JGHAUSEC Total:		5,000.00								
J.G. Hause Construction Total:		5,000.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Kath Fuel Oil Service Co										
kathfuel										
611300	12/11/2017	1,803.16	0.00	01/04/2018	Fuel - Diesel		-		No	0000
101-430-3100-42120	Fuel, Oil and Fluids									
	611300 Total:	1,803.16								
611301	12/11/2017	883.13	0.00	01/04/2018	Fuel - Unleaded		-		No	0000
101-430-3100-42120	Fuel, Oil and Fluids									
	611301 Total:	883.13								
611302	12/11/2017	617.79	0.00	01/04/2018	Fuel - Diesel		-		No	0000
101-430-3100-42120	Fuel, Oil and Fluids									
	611302 Total:	617.79								
	kathfuel Total:	3,304.08								
Kath Fuel Oil Service Co Total:		3,304.08								
Kennedy & Graven, Chartered										
KENGRAVE										
140674	12/14/2017	2,758.61	0.00	01/04/2018	General Matters		-		No	0000
101-410-1320-43040	Legal Services									
140674	12/14/2017	310.00	0.00	01/04/2018	Library Matters		-		No	0000
101-410-1320-43040	Legal Services									
140674	12/14/2017	835.24	0.00	01/04/2018	3M litigation		-		No	0000
601-494-9400-43040	Legal Services									
140674	12/14/2017	341.00	0.00	01/04/2018	Personnel Matters		-		No	0000
101-410-1320-43040	Legal Services									
140674	12/14/2017	798.75	0.00	01/04/2018	Hidden Meadows 2nd		-		No	0000
803-000-0000-22910	Developer Payments									
140674	12/14/2017	53.75	0.00	01/04/2018	Easton Village 3rd		-		No	0000
803-000-0000-22910	Developer Payments									
140674	12/14/2017	53.75	0.00	01/04/2018	Northport (Pulte)		-		No	0000
803-000-0000-22910	Developer Payments									
140674	12/14/2017	832.50	0.00	01/04/2018	Lake Elmo Inn Assessment Appeal		-		No	0000
101-410-1320-43040	Legal Services									
	140674 Total:	5,983.60								
	KENGRAVE Total:	5,983.60								
Kennedy & Graven, Chartered Total:		5,983.60								
King Cassidy										
KINGK										
20171227	12/27/2017	55.00	0.00	01/04/2018	Cable Oper - 121217 Council Wkshp		-		No	0000
101-410-1450-43620	Cable Operations									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	20171227 Total:	55.00								
	KINGK Total:	55.00								
	King Cassidy Total:	55.00								
Lamont Companies										
LAMONTCO										
20171222	12/22/2017	1,850.00	0.00	01/04/2018	Lamont Co - Refund PUD		-		No	0000
101-000-0000-36200	Miscellaneous Revenue				overpayment					
	20171222 Total:	1,850.00								
	LAMONTCO Total:	1,850.00								
	Lamont Companies Total:	1,850.00								
Landscape Architecture, Inc										
Landscap										
13	12/19/2017	218.00	0.00	01/04/2018	Hammes Estates Task Order # 13		-		No	0000
803-000-0000-22910	Developer Payments									
	13 Total:	218.00								
39	12/17/2017	300.00	0.00	01/04/2018	Northport Task Order #39		-		No	0000
803-000-0000-22910	Developer Payments				December 2017 expenses paid on 1/4/18					
	39 Total:	300.00								
40	12/17/2017	960.00	0.00	01/04/2018	Hunters Cross. & 5th St. Task Order		-		No	0000
803-000-0000-22910	Developer Payments				#40					
	40 Total:	960.00			December 2017 expenses paid on 1/4/18					
45	12/20/2017	920.00	0.00	01/04/2018	Hidden Meadows Task Order # 45		-		No	0000
803-000-0000-22910	Developer Payments									
	45 Total:	920.00								
46	12/21/2017	300.00	0.00	01/04/2018	The Legacy at Northstar Task Order #		-		No	0000
803-000-0000-22910	Developer Payments				46					
	46 Total:	300.00								
	Landscap Total:	2,698.00								
	Landscape Architecture, Inc Total:	2,698.00								
Maroney's Sanitation, Inc										
MARONEYS										
707345	12/08/2017	121.72	0.00	01/04/2018	Trash Service - City Hall 1101-1130		-		No	0000
101-410-1940-43840	Refuse									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
707345	12/08/2017	50.77	0.00	01/04/2018	Trash Service - Fire Station 1101-1130		-			No 0000
101-420-2220-43840	Refuse									
707345	12/08/2017	221.17	0.00	01/04/2018	Trash Svs - Parks Bldg/Storage 1101-1130		-			No 0000
101-450-5200-43840	Refuse									
707345	12/08/2017	231.04	0.00	01/04/2018	Trash Service - Public Works 1101-1130		-			No 0000
101-420-2220-43840	Refuse									
707345	12/08/2017	50.88	0.00	01/04/2018	Trash Service - Library 1101-1130		-			No 0000
206-450-5300-43840	Refuse									
	707345 Total:	675.58								
	MARONEYS Total:	675.58								
	<hr/>									
	Maroney's Sanitation, Inc Total:	675.58								
	<hr/>									
Menards - Oakdale										
MENARDSO										
45409	12/12/2017	54.81	0.00	01/04/2018	Misc. parts/supplies		-			No 0000
101-430-3120-42210	Equipment Parts									December payments made 1/4/18
	45409 Total:	54.81								
45433	12/12/2017	2.97	0.00	01/04/2018	Misc. parts/supplies		-			No 0000
101-430-3120-42210	Equipment Parts									December payments made 1/4/18
45433	12/12/2017	25.27	0.00	01/04/2018	Misc. parts/supplies		-			No 0000
601-494-9400-42400	Small Tools & Minor Equipment									December payments made 1/4/18
	45433 Total:	28.24								
45435	12/12/2017	27.45	0.00	01/04/2018	Bottled water		-			No 0000
101-410-1940-44300	Miscellaneous									December payments made 1/4/18
45435	12/12/2017	48.19	0.00	01/04/2018	Repair supplies		-			No 0000
101-450-5200-42210	Equipment Parts									December payments made 1/4/18
	45435 Total:	75.64								
45631	12/12/2017	139.97	0.00	01/04/2018	Battery pack		-			No 0000
601-494-9400-42400	Small Tools & Minor Equipment									December payments made 1/4/18
45631	12/12/2017	54.61	0.00	01/04/2018	Misc. parts/supplies		-			No 0000
101-430-3100-42210	Equipment Parts									December payments made 1/4/18
45631	12/12/2017	2.78	0.00	01/04/2018	Misc. shop supplies		-			No 0000
101-430-3100-42150	Shop Materials									December payments made 1/4/18
	45631 Total:	197.36								
	MENARDSO Total:	356.05								
	<hr/>									
	Menards - Oakdale Total:	356.05								
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Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
MN Rural Water Association										
MNRURAL										
2018	12/21/2017	250.00	0.00	01/04/2018	2018 MRWA Membership Dues		-			No 0000
601-494-9400-44300	Miscellaneous									
	2018 Total:	250.00								
	MNRURAL Total:	250.00								
MN Rural Water Association Total:		250.00								
Ritchie Tom										
RITCHIET										
20171227	12/27/2017	55.00	0.00	01/04/2018	Cable Oper - 121117 Plan Comm		-			No 0000
101-410-1450-43620	Cable Operations									
20171227	12/27/2017	55.00	0.00	01/04/2018	Cable Oper - 121817 Parks Comm		-			No 0000
101-410-1450-43620	Cable Operations									
	20171227 Total:	110.00								
	RITCHIET Total:	110.00								
Ritchie Tom Total:		110.00								
Shannon Glass Company, Inc.										
SHANNONG										
S038940	12/12/2017	310.48	0.00	01/04/2018	Windshield replacement 14-2		-			No 0000
101-430-3100-44040	Repairs/Maint Eqpt									
	S038940 Total:	310.48								
	SHANNONG Total:	310.48								
Shannon Glass Company, Inc. Total:		310.48								
Short Elliot Henderickson, Inc										
SHORTELL										
342231	12/07/2017	7,703.09	0.00	01/04/2018	OV Phase 3 Project 2016.133		-			No 0000
409-480-8000-43150	Contract Services									December 2017 Payments with 1/4/18 Check
342231	12/07/2017	3,193.34	0.00	01/04/2018	OV Phase 3 Project 2016.133		-			No 0000
601-494-9400-43150	Contract Services									December 2017 Payments with 1/4/18 Check
342231	12/07/2017	4,131.06	0.00	01/04/2018	OV Phase 3 Project 2016.133		-			No 0000
602-495-9450-43150	Contract Services									December 2017 Payments with 1/4/18 Check
	342231 Total:	15,027.49								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
342235	12/07/2017	1,879.30	0.00	01/04/2018	OV Phase 4 Project 2017.157 Need Alloc.		-			No 0000
409-480-8000-43150	Contract Services									
	342235 Total:	1,879.30								
343039	12/13/2017	3,125.20	0.00	01/04/2018	Inwood Water Tower Project 2015.130		-			No 0000
601-494-9400-43030	Engineering Services									
	343039 Total:	3,125.20								
	SHORTELL Total:	20,031.99								
Short Elliot Henderickson, Inc Total:		20,031.99								
Sprint										
SPRINT										
761950227-177	12/18/2017	-5.85	0.00	01/04/2018	Cell Phone Service - Planning		-			No 0000
101-410-1910-43210	Telephone									
761950227-177	12/18/2017	46.20	0.00	01/04/2018	Cell Phone Service - Administration		-			No 0000
101-410-1940-43210	Telephone									
761950227-177	12/18/2017	112.80	0.00	01/04/2018	Cell Phone Service - Fire Department		-			No 0000
101-420-2220-43210	Telephone									
761950227-177	12/18/2017	135.93	0.00	01/04/2018	Cell Phone Service - Building Dept		-			No 0000
101-420-2400-43210	Telephone									
761950227-177	12/18/2017	43.46	0.00	01/04/2018	Cell Phone Service - PW Department		-			No 0000
101-430-3100-43210	Telephone									
761950227-177	12/18/2017	39.95	0.00	01/04/2018	Cell Phone Service - Parks Dept		-			No 0000
101-450-5200-43210	Telephone									
	761950227-177 Total:	372.49								
	SPRINT Total:	372.49								
Sprint Total:		372.49								
St. Paul Stamp Works, Inc.										
STPAUL										
401576	12/07/2017	96.50	0.00	01/04/2018	2018 Dog Tags		-			No 0000
101-410-1320-42000	Office Supplies									
	401576 Total:	96.50								
	STPAUL Total:	96.50								
St. Paul Stamp Works, Inc. Total:		96.50								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
T Mobile										
TMOBILE										
947226095	12/11/2017	9.16	0.00	01/04/2018	SCADA Line 111117-121017		-			No 0000
601-494-9400-43210	Telephone									
947226095	12/11/2017	9.15	0.00	01/04/2018	SCADA Line 111117-121017		-			No 0000
602-495-9450-43210	Telephone									
	947226095 Total:	18.31								
	TMOBILE Total:	18.31								
	T Mobile Total:	18.31								
Titan Machinery										
TITAN										
845545 CL	12/12/2017	9,037.77	0.00	01/04/2018	Radiator and A/C report to 580		-			No 0000
101-430-3100-44040	Repairs/Maint Eqpt				SuperM					
	845545 CL Total:	9,037.77								
	TITAN Total:	9,037.77								
	Titan Machinery Total:	9,037.77								
Verizon Wireless										
VERIZON										
9797913558	12/10/2017	35.01	0.00	01/04/2018	Air Card for Tablet - 11/11 to 12/10		-			No 0000
101-420-2220-43210	Telephone									
	9797913558 Total:	35.01								
	VERIZON Total:	35.01								
	Verizon Wireless Total:	35.01								
Washington County										
WAS-PH										
20171219	12/19/2017	42.69	0.00	01/04/2018	Hazardous item disposal		-			No 0000
101-420-2220-44010	Repairs/Maint Bldg									
	20171219 Total:	42.69								
	WAS-PH Total:	42.69								
	Washington County Total:	42.69								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
White Anita										
Whiteani										
20171227	12/27/2017	55.00	0.00	01/04/2018	Cable Oper - 121917 Council Mtg		-		No	0000
101-410-1450-43620	Cable Operations									
	20171227 Total:	55.00								
	Whiteani Total:	55.00								
	White Anita Total:	55.00								
Xcel Energy										
XCEL										
573702361	12/19/2017	293.81	0.00	01/04/2018	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
	573702361 Total:	293.81								
573750730	12/19/2017	11.02	0.00	01/04/2018	Tennis Court		-		No	0000
101-450-5200-43810	Electric Utility									
	573750730 Total:	11.02								
573766132	12/19/2017	25.34	0.00	01/04/2018	Pebble Park		-		No	0000
101-450-5200-43810	Electric Utility									
	573766132 Total:	25.34								
573769539	12/19/2017	17.06	0.00	01/04/2018	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
	573769539 Total:	17.06								
573771935	12/19/2017	303.52	0.00	01/04/2018	Parks Bldg		-		No	0000
101-450-5200-43810	Electric Utility									
	573771935 Total:	303.52								
573774373	12/19/2017	17.84	0.00	01/04/2018	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
	573774373 Total:	17.84								
573783562	12/19/2017	30.72	0.00	01/04/2018	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	573783562 Total:	30.72								
573789715	12/19/2017	155.50	0.00	01/04/2018	Water Tower 2		-		No	0000
601-494-9400-43810	Electric Utility									
	573789715 Total:	155.50								
573790326	12/19/2017	12.36	0.00	01/04/2018	Speed Sign Hwy 5		-		No	0000
101-430-3160-43810	Street Lighting									
	573790326 Total:	12.36								
573807849	12/19/2017	1,343.20	0.00	01/04/2018	Pumphouse		-		No	0000
601-494-9400-43810	Electric Utility									
	573807849 Total:	1,343.20								
573809144	12/19/2017	154.41	0.00	01/04/2018	Pumphouse		-		No	0000
601-494-9400-43810	Electric Utility									
	573809144 Total:	154.41								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
573824821	12/19/2017	42.97	0.00	01/04/2018	Traffic Lights		-			No 0000
101-430-3160-43810	Street Lighting									
	573824821 Total:	42.97								
573834337	12/19/2017	69.50	0.00	01/04/2018	Traffic Lights		-			No 0000
101-430-3160-43810	Street Lighting									
	573834337 Total:	69.50								
573844249	12/19/2017	43.82	0.00	01/04/2018	Traffic Lights		-			No 0000
101-430-3160-43810	Street Lighting									
	573844249 Total:	43.82								
573844876	12/19/2017	681.47	0.00	01/04/2018	Fire Station 1		-			No 0000
101-420-2220-43810	Electric Utility									
	573844876 Total:	681.47								
573846202	12/19/2017	49.28	0.00	01/04/2018	Water Tower 3		-			No 0000
601-494-9400-43810	Electric Utility									
	573846202 Total:	49.28								
573862256	12/20/0117	605.01	0.00	01/04/2018	Library		-			No 0000
206-450-5300-43810	Electric Utility									
	573862256 Total:	605.01								
573906873	12/20/2017	801.06	0.00	01/04/2018	Fire Station 2		-			No 0000
101-420-2220-43810	Electric Utility									
	573906873 Total:	801.06								
573932682	12/20/2017	452.79	0.00	01/04/2018	Legion Park		-			No 0000
101-450-5200-43810	Electric Utility									
	573932682 Total:	452.79								
574002972	12/20/2017	410.14	0.00	01/04/2018	Lift Station		-			No 0000
602-495-9450-43810	Electric Utility									
	574002972 Total:	410.14								
574206974	12/22/2017	28.98	0.00	01/04/2018	Street Lights		-			No 0000
101-430-3160-43810	Street Lighting									
	574206974 Total:	28.98								
	XCEL Total:	5,549.80								
	Xcel Energy Total:	5,549.80								
Youth Service Bureau, Inc										
YOUTHSEB										
2018	01/01/2018	5,250.00	0.00	01/04/2018	2018 Youth Svs Bureau Contract Fee		-			No 0000
101-410-1110-44300	Miscellaneous									
	2018 Total:	5,250.00								
	YOUTHSEB Total:	5,250.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
	Youth Service Bureau, Inc Total:	5,250.00								
	Report Total:	112,323.62								



STAFF REPORT

DATE: January 2, 2018

CONSENT

ITEM #2

TO: Honorable Mayor and City Council
FROM: Brian A. Swanson – Finance Director
AGENDA ITEM: Designate the Official Depositories of Funds – Resolution 2018-01
REVIEWED BY: Kristina Handt, City Administrator

BACKGROUND:

Pursuant to State Statute 427.01 *et seq*, the City Council is respectfully being asked to designate official depositories for 2018. Based upon past practice as well as current and likely future needs, it is recommended that the following be designated as the official depositories for the City of Lake Elmo for 2018:

- Lake Elmo Bank
- Well Fargo Bank
- Northland Securities Inc.
- Morgan Stanley

QUESTION BEFORE THE CITY COUNCIL:

- 1) Does the City Council desire to approve the resolution as attached?

FISCAL IMPACT:

Designation of official depositories helps to ensure compliance with MN State Statute and that the resources entrusted to the City are maintained in official financial institutions.

RECOMMENDATIONS:

- 1) Motion to Adopt Resolution No. 2018-01; Designate the Official Depositories of Funds for 2018.

ATTACHMENTS:

- 1) Resolution No. 2018-01; Designate the Official Depositories of Funds for 2018.

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

RESOLUTION 2018-01

**A RESOLUTION TO DESIGNATE THE OFFICIAL DEPOSITORIES OF
FUNDS FOR 2018**

WHEREAS, Minnesota Statutes, Chapter 427, requires the adoption of certain policies and procedures pertaining to the deposit of public funds; and

WHEREAS, the statute also requires the designation of an official depository of funds by a local government each year within 30 days of the beginning of the fiscal year.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Lake Elmo, that the following financial institutions are hereby designated as the Official Depositories of Funds for 2018:

- Lake Elmo Bank
- Well Fargo Bank
- Northland Securities Inc.
- Morgan Stanley

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO THIS 2nd
DAY OF JANUARY 2018.**

**CITY COUNCIL
CITY OF LAKE ELMO**

By: _____
Mike Pearson
Mayor

ATTEST:

Julie Johnson
City Clerk



STAFF REPORT

DATE: January 2, 2018
CONSENT
ITEM #: 3

AGENDA ITEM: Designate Official Publication Newspaper of Record

SUBMITTED BY: Julie Johnson, City Clerk

BACKGROUND:

Pursuant to Minn. State Statute § 412.831, the City Council is to select an official newspaper of record for legal publications. From a financial and timeliness perspective, City Staff has had an effective working relationship with *The Oakdale-Lake Elmo Review* as its official newspaper for the past few years. *The Oakdale-Lake Elmo Review* meets all statutory requirements for legal publications, has a reasonable publication schedule/deadline for submission, and its rates for publication are very competitive. Complimentary copies of *The Oakdale-Lake Elmo Review* are delivered to City Hall each week for residents.

ISSUE BEFORE COUNCIL:

What newspaper should the City use for official publications?

PROPOSAL:

The City Council is asked to select an official newspaper. Two quotes were received one from *The Oakdale-Lake Elmo Review* and one from *St. Croix Valley Lowdown*.

OPTIONS:

The Council may designate one of the two newspapers that have submitted bids as the official publication newspaper of record.

RECOMMENDATION:

The City Council is respectfully requested to designate *The Oakdale-Lake Elmo Review* as the City's official newspaper of record for 2018. *The Oakdale-Lake Elmo Review* publishes weekly and the *St. Croix Valley Lowdown* publishes bi-weekly, therefore staff recommends choosing *The Oakdale-Lake Elmo Review*. As part of its consent agenda, no specific motion is required. Should council choose to remove this item from its consent agenda, the recommended motion for this action is as follows:

“Move to designate the Oakdale-Lake Elmo Review as the official newspaper of record for 2018.”



STAFF REPORT

DATE: January 2, 2018
CONSENT
ITEM #: 4

AGENDA ITEM: Designate Data Practices Officials and Approve City's Data Practices Policy
SUBMITTED BY: Julie Johnson, City Clerk

BACKGROUND:

MN Statute 13.05 requires the government entity's Responsible Authority to annually update the City's Data Practices Policy and make any changes necessary to maintain the accuracy of the document. The policy identifies the types of data the City maintains and how each type of data is classified. In addition, the policy provides for written procedures to ensure data requests are received and complied with in an appropriate, permitted, and prompt manner.

The City is required to have two officers to administer responsibilities set forth in the act. The required officers are the Responsible Authority and the Compliance Officer, who by state statute can be, and often are, the same person within a government entity. The Responsible Authority is responsible for collection, use and dissemination of any set of data. The Compliance Officer handles questions or issues with regard to data access. Both of these officials are required to be named specifically, not just as a responsibility assigned to a position.

ISSUE BEFORE COUNCIL:

Who should the Council appoint as the City's Data Practices Responsible Authority and Compliance Officer?

PROPOSAL:

The City Council is asked to appoint Data Practices Officials and approve the Data Practices Policy.

OPTIONS:

City Clerk Johnson is currently the City's Data Practices Responsible Authority and Compliance Officer. In the past, the City Clerk and Deputy Clerk have been appointed to fill these roles.

RECOMMENDATION:

The City Council is respectfully requested to approve Resolution 2018-003, Designating the City's Data Practices Officials and Approving City's Data Practices Policy. There are no changes from the prior Data Practices Policy other than updates to the dates and name of officials. As part of its consent agenda, no specific motion is required. If Council wishes to remove this item from the consent agenda, the recommended motion is as follows:

“Move to adopt Resolution 2018-003 Designating City's Data Practices Officials and Approving City's Data Practices Policy”

ATTACHMENTS:

- Resolution 2018-003
- City of Lake Elmo Data Practices Policy



2018

**DATA PRACTICES
CLASSIFICATION OF
GOVERNMENT DATA**

ACCESS TO DATA BY THE PUBLIC

Access To Data By The Public

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

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

Inspection of Data

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

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

Data with Commercial Value

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

Computer Storage Medium

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

Time Limits For Response

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

CLASSIFICATIONS OF GOVERNMENT DATA

Classifications of Government Data

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

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

Data On Individuals

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

There are three classifications of data on individuals :

- **Public** -- This is data about individuals which can be disclosed to anyone for any purpose, e.g. names and salaries of city employees.

- **Private** -- This is data about individuals which can be disclosed only to the subject of the data or to government entities and employees whose work assignments reasonably require access to the data.

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

Data Not On Individuals

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

- **Public** -- This is data about non-individuals, such as businesses, which can be disclosed to anyone for any purpose, e.g., names of vendors who have contracts with the city.

- **Private** -- This is data about non-individuals which can be disclosed only to the subject of the data or to government entities and employees whose work assignments reasonably require access to the data, e.g., certain financial information about businesses.

- **Protected Non-public** -- This is data about non-individuals, which is available only to government entities with a legal right to know it. A corporation being investigated for fraud, for example, would not have a right to the information being collected during the investigation.

Information Technology Policy

Information Policy Compliance and Consequences

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

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

Electronic Mail (Email):

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

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

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

Policy: employees are responsible for adhering to business standards when email is created, sent, forwarded or saved. Failure to adhere puts the organization and the individual at risk for legal or financial liabilities, potential embarrassment and other consequences. Employees should not keep e-mail for an extended period of time. If it is a critical e-mail

correspondence, it should be saved as a hard copy or as a text file and moved to the server. Delete all inbox, sent, and deleted messages that are no longer needed.

Members of the Public

Right to Access Public Data

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

The Data Practices Act also provides that the City of Lake Elmo must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep.

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

How to Make a Data Request

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

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

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

The City of Lake Elmo cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In

addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How We Respond to a Data Request

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

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

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

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

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

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

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

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a

means to gain access to private or confidential data. The City of Lake Elmo will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request – you may use the data request form on page ten – we will respond within ten business days with the data or details of when the data will be ready and what the cost will be.

Data Subjects

Data about You

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

Classification of Data about You

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

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

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

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

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

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

Your Rights under the Data Practices Act

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

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

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

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

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

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

consent form we provide.

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

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

How to Make a Request for Your Data

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

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

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

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

How We Respond to a Data Request

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

- If we do not have the data, we will notify you in writing within 10 business days.

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

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

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

CITY OF LAKE ELMO
Data Practices Contacts

Responsible Authority

Julie Johnson, City Clerk
3800 Laverne Avenue North, Lake Elmo, MN 55042
Phone: 651.747.3900
Fax: 651.747.3901
jjohnson@lakeelmo.org

Data Practices Compliance Official

Julie Johnson, City Clerk
3800 Laverne Avenue North, Lake Elmo, MN 55042
Phone: 651.747.3900
Fax: 651.747.3901
jjohnson@lakeelmo.org

Copy Costs – Members of the Public

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

For 100 or Fewer Paper Copies – 25 Cents per Page

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

Most Other Types of Copies – Actual Cost

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

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

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

Copy Costs - Data Subjects

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

Actual Cost of Making the Copies

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

copies.

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

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

Date of request: _____

I am requesting access to data in the following way:

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

Inspection Copies Inspection and copies

These are the data I am requesting:

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

Contact Information

Name: _____

Address: _____

Phone number: _____ Email address: _____

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

City of Lake Elmo

Data Request Form – Data Subjects

Date of request: _____

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

I am requesting access to data in the following way:

Inspection Copies Inspection and copies

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

Description of data requested:

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

Contact Information

Data subject name_____

Parent/Guardian name (if applicable) _____

Address_____

Phone number_____

Email address_____

Signature of Data Subject or Parent/Guardian_____

Staff Verification

Identification provided_____

Standards for Verifying Identity

The following constitute proof of identity.

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

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

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

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

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

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

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

- court order(s)
- valid power of attorney

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

CITY OF LAKE ELMO

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

1. If you are requesting municipal action on any request for any of the above, you will be required to furnish certain information about yourself, the project you are involved in, or other matters pertaining to the application. Some of the information you are asked to provide is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.
2. The purpose of this information is to enable the City of Lake Elmo or other government agencies to evaluate relevant factors in considering your request. You are not legally required to provide this information. If you do not provide the requested information, the City may not act upon your request.
3. The information you supply will be public and available to any entity requesting to inspect the information.

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

BY _____

COMPANY/TITLE: _____

NON-PUBLIC DATA MAINTAINED BY CITY (EXHIBIT A)

1. Personnel Data (Private)

Minn. Stat. §13.43

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

- Name
- Employee identification number (not the employee's Social Security number)
- Actual gross salary
- Contract fees
- Actual gross pension
- Value and nature of employer paid fringe benefits
- Basis for and amount of added remuneration, including expense reimbursement
- Job description, job title and bargaining unit
- Education and training background
- Relevant test scores and rank on eligible list
- Previous work experience

- Date of first and last employment
- Veteran status
- The existence and status (but not nature) of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in discipline
- Final disposition of any disciplinary action, together with specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the city
- Terms of any agreement settling any dispute arising from the employment relationship, including a “buyout” agreement
- Work availability
- Work location
- Work telephone number
- Honors and awards received
- Payroll time sheets or other comparable data that are only used to account for employee’s work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee’s reasons for the use of sick or other medical leave or other non-public data
- Names and addresses of applicants for and members of an advisory board or commission
- Name, after being certified as eligible for appointment to a vacancy or when considered a finalist for a position of public employment (which occurs when the person has been selected to be interviewed by the appointing authority)

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

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

2. Property Complaint Data (confidential)

Minn. Stat. §13.44

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

3. Security Information (Private)

Minn. Stat. §13.37

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

4. Sealed bids (Non-public)

Minn. Stat. §13.37

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

5. Trade Secret Information (Non-public)

Minn. Stat. §13.37

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

6. Examination Data

Minn. Stat. §13.34

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

7. Elected Officials Correspondence (Private)

Minn. Stat. §13.601

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

8. Federal Contracts Data (Non-public)

Minn. Stat. §13.35

To the extent that a federal agency requires it as a condition for contracting with the city, all government data collected and maintained by the city is classified as private

or nonpublic depending on whether the data are data on individuals or data not on individuals.

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

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

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

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

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

- The data are submitted to a court-appointed condemnation commissioner;
- The data are presented in court in condemnation proceedings; or
- The negotiating parties enter into an agreement for the purchase and sale of the property.

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

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

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

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

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

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

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

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

15. City Attorney Records Minn. Stat. §13.30

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

16. Electronic Access Data Minn. Stat. §13.15

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

17. Service Cooperatives Claims Data Minn. Stat. §13.43

Claims experience and all related information received from carriers and claims administrators participating in a group health or dental plan, including any long-term disability plan, offered through the Minnesota service cooperatives to the city, and survey information collected from employees and employers participating in these

plans and programs, except when the executive director of a Minnesota service cooperative determines that release of the data will not be detrimental to the plan or program, are classified as nonpublic data not on individuals.

Consent to Release – Request from a Government Entity

Explanation of Your Rights

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

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

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

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

- 1) The specific data that the City of Lake Elmo may release:
_____.
- 2) I understand the City of Lake Elmo wants to release the data for this reason:
_____.
- 3) I understand that although the data are classified as private at the City of Lake Elmo, the classification/treatment of the data at _____ depends on laws or policies that apply to _____. This authorization to release the data expires on _____.

Individual data subject's signature _____

Date _____

Parent/guardian's signature [*if necessary*] _____

Date _____

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

RESOLUTION 2018-003

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

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

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

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

BE IT FURTHER RESOLVED, that City Clerk Julie Johnson will be appointed to serve as the city's data practices responsible authority and data practices compliance official.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO THIS
SECOND DAY OF JANUARY 2018.**

**CITY COUNCIL
CITY OF LAKE ELMO**

By: _____
Mike Pearson
Mayor

ATTEST:

Julie Johnson
City Clerk



STAFF REPORT

DATE: January 2, 2018
CONSENT #5

AGENDA ITEM: Appoint City Attorney (civil and prosecution)

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

Per City Code 31.01, at the first regular council meeting in January of each year the Council shall appoint a city attorney. In 2016, the city decided to separate civil and prosecution services.

ISSUE BEFORE COUNCIL:

Who should the Council appoint as City Attorney for civil matters and for prosecution services?

PROPOSAL:

Kennedy and Graven are currently serving as City Attorney in civil matters. Johnson Turner is currently serving as City Attorney for prosecution services.

RECOMMENDATION:

If removed from the consent agenda:

“Move to appoint Johnson Turner as City Attorney for prosecution services and Kennedy and Graven as City Attorney for civil matters.”

ATTACHMENTS:

None



STAFF REPORT

DATE: January 2, 2018
CONSENT #6

AGENDA ITEM: Appoint City Engineer and Approve Contract

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

Per City Code 31.01, at the first regular council meeting in January of each year the Council shall appoint a city engineer.

ISSUE BEFORE COUNCIL:

Who should the Council appoint as City Engineer?

PROPOSAL:

Following the December work session as Council direction, staff began working on an agreement with Focus Engineering to provide general engineering services for the next five years. A copy of the contract is included in your packet. It establishes a flat monthly retainer of \$2,500 for general engineering services as outlined, a fee schedule for projects beyond general engineering services, and lays out other terms of the agreement. It has been reviewed by legal.

RECOMMENDATION:

If removed from the consent agenda:

“Move to appoint Mr. Jack Griffin, of Focus Engineering, Inc., as the official City Engineer and principal provider of professional engineering services for 2018.”

“Move to approve the agreement between the City of Lake Elmo and Focus Engineering for professional services.”

ATTACHMENT:

- Focus General Engineering Services Agreement

FOCUS ENGINEERING, inc.

AGREEMENT

BETWEEN CITY OF LAKE ELMO AND ENGINEER

FOR

PROFESSIONAL SERVICES

This AGREEMENT is made effective as of the 2ND day of JANUARY, 2018 (“Effective Date”) by and between the CITY OF LAKE ELMO, MINNESOTA, a Minnesota municipal corporation (hereinafter referred to as the “City”), and FOCUS ENGINEERING, inc., a Minnesota corporation (hereinafter referred to as “Engineer”).

The City intends to engage Engineer to provide Professional Engineering Services and General Consulting Services, and to act as the appointed City Engineer for the City. This AGREEMENT sets forth the general terms and conditions which shall govern the relationship and performance of the City and Engineer.

In consideration of the foregoing recitals and following terms and conditions contained herein, the City and Engineer agree as follows:

ARTICLE 1: SERVICES OF THE ENGINEER

- 1.1 Scope of Services: The City agrees to and hereby does retain and appoint Engineer as the designated “City Engineer”, and Engineer agrees to perform professional engineering services (“Professional Engineering Services”) in connection with the responsibilities of the City Engineer, as directed by the City Council and under the direction of the City Administrator.
- A. Provide assistance on day-to-day matters, acting as the City Engineer, and as requested by the City.
 - B. Attend meetings of the City Council or other Committees or Commissions to address Engineering matters. Participate in internal and external meetings involving engineering questions and issues.

- C. Act as City liaison and representative with other communities and county, state and federal agencies in areas of responsibility.
- D. Respond to and address constituent requests and issues as received or directed by staff. Schedule and attend on-site meetings to review issues as needed.
- E. Meet with developers and members of the public on proposed development projects in order to relate the processes and procedures involved with engineering and infrastructure development. Review development proposals for conformance with City standards.
- F. Engineering services will, in general, include preparation of studies and reports, designing, preparation of working drawings and specifications; construction administration and construction observations; utility mapping, and maintaining engineering records and correspondence; preparing cost estimates, capital improvement planning, and department budgeting; maintaining the Municipal State Aid System; maintaining the MS4 NPDES Permit; providing engineering support to other City departments; guiding and overseeing the design and construction of public infrastructure systems through private development projects; preparing requests for proposals, and assisting with selecting outside professional services consultants for certain projects, and managing the professional services contracts; and other related tasks of a type normally associated with infrastructure and facility planning, design, construction, operation and/or maintenance.
- G. Under this AGREEMENT the Engineer will provide general consulting services as described in this Section in accordance with this Section, engineer's compensation, payment terms, and other provisions as provided herein. When requested by the City, services for each additional engagement or a specific project that is not addressed by this AGREEMENT will be detailed and documented in a duly executed "TASK ORDER".

1.2 Procedure for "TASK ORDERS"

- A. Engineer shall provide the City with a "TASK ORDER" for specific services or projects when requested by the City. Each TASK ORDER will indicate the specific task, scope of services, time for performance, deliverables to be provided, and the basis of compensation.
- B. Individual "TASK ORDERS", if requested, shall be mutually approved by the City and Engineer. Each duly executed TASK ORDER shall be incorporated and made a part of this AGREEMENT and the general considerations thereof.

ARTICLE 2: PERIOD OF SERVICE

- 2.1 Term: Engineer is hereby retained on a continuing basis through December 31, 2022, subject, however, to termination by either party in accordance with ARTICLE 5.9.
- 2.2 Engineer shall complete its obligations for specific projects and services as set forth in any "TASK ORDER".

ARTICLE 3: COMPENSATION

- 3.1 Basis for Compensation: Compensation to Engineer for day-to-day General Engineering Services shall be \$2,500 per month for the five year term of this AGREEMENT. General Engineering Services are defined as attendance at city council meetings and work session, commission, committee or staff meetings as requested; acting as the City's liaison with other agencies; capital improvement planning; responding to or meeting with property owners on matters not related to project engineering services; coordinating map updates and GIS updates; administration of municipal state aid system and certification; assisting with funding solutions for infrastructure projects such as identifying grants or loan programs; reviewing and evaluating suggested revisions to fee schedules, assessment policies and utility rates (not including rate studies); advising the City of current trends and policy formation; and updating and maintaining engineering standards.

Compensation to Engineer for project engineering services and department support services, shall be on an hourly rate basis in accordance with the 2018-2022 Hourly Rate Schedule which is attached to this AGREEMENT as Exhibit A. Project engineering services and department support services shall include engineering support to other city departments including permit and plan reviews (grading, site plans, CUP and PUD applications); reviewing of development applications and plans for conformance with City standards; meeting with developers and members of the public on proposed development projects; guiding and overseeing the design and construction of public infrastructure through private development projects; providing engineering support to the public works department as requested for maintaining the MS4 NPDES Permit, right-of-way applications, and overseeing the annual street maintenance projects; preparing requests for proposals, and assisting with selecting outside professional services consultants for certain projects, and managing the professional services contracts; and other related tasks of the type normally associated with infrastructure and facility planning, design and construction; and acting as the City liaison and representative for other county, state and federal agency projects within the City.

Services described in a specific "TASK ORDER" shall be compensated on an hourly rate basis and/or a lump sum basis as designated in each TASK ORDER in accordance with the attached 2018-2022 Hourly Rate Schedule.

- 3.3 Reimbursable Expenses: The Engineer shall be reimbursed at cost for any direct expenses when incurred in the performance of the City's work in accordance with the attached 2018-2022 Hourly Rate Schedule. Mileage shall not be reimbursed for the performance of any General Engineering Services.
- 3.4 Payments for Services
- A. *Preparation and Submittal of Invoices:* Engineer shall prepare and submit invoices including a detailed description of the tasks performed to the City on a monthly basis. Invoices are due and payable within 30 days of receipt.
 - B. *Unpaid Invoices:* All accounts unpaid after 30 days from the date of original invoice shall be subject to a service charge of 1.5% per month, or the maximum rate of interest permitted by law, whichever is less. Payment will be credited first to any interest owed to Engineer and then to principal.
 - C. *Disputed Invoices:* If the City contests an invoice, the City shall promptly advise Engineer of the specific basis for doing so, may withhold only that portion so contested, and must pay the undisputed portion.
 - D. *Right to Suspend Work:* Engineer may, after giving ten (10) days written notice to the City, suspend services under this AGREEMENT until the City has paid in full all amounts due for services, expenses, and other related charges. The City waives any and all claims against Engineer for any such suspension.

ARTICLE 4: CITY'S RESPONSIBILITIES

- 4.1 City's Representative: When acting as the "City Engineer", Engineer shall provide services as directed by the City Council and under the direction of the City Administrator. For specific "TASK ORDERS", the City shall designate in writing, a person to act as the City's representatives with respect to the services to be rendered. Such persons shall have authority to transmit instructions, receive instructions, receive information, interpret and define the City's policies with respect to Engineer's services. When no written designation is made by the City, the City's representative shall be the City Administrator.
- 4.2 Provide Access: The City shall provide access to, and make all provisions for Engineer to enter upon public or private property as required to perform its work.
- 4.3 Provide Supporting Documentation and Services: The City shall provide Engineer with all necessary information regarding its requirements as necessary for orderly progress of the work, including records, data, instructions, and requirements for completeness. The City shall also provide services in regards to accounting, fiscal and bond consulting services, insurance, and legal services as may be required.

- 4.4 The City shall be responsible for, and Engineer may rely upon, the accuracy and completeness of all requirements, programs, instructions, reports, data, and other information furnished by the City to Engineer pursuant to this AGREEMENT. Engineer may use such requirements, programs, instructions, reports, data, and information in performing or furnishing services under this AGREEMENT.
- 4.5 Provide Prompt Notice and Review: The City shall promptly review and examine all correspondence, reports, sketches, drawings, specifications and other documents and communications prepared and presented by Engineer and render decisions pertaining thereto within a reasonable time so as not to delay the services of Engineer. The City shall also give prompt notice to Engineer whenever City observes or otherwise becomes aware of any development that affects the scope or timing of Engineer's services or any defect in the work.
- 4.6 The City shall make timely payments to the Engineer as set forth in ARTICLE 3.

ARTICLE 5: GENERAL CONSIDERATIONS

5.1 Standards and Parameters of Performance

- A. *Standard of Care:* The standard of care for all professional engineering and related services performed or furnished by Engineer under this AGREEMENT will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality.
- B. *Consultants:* Engineer may employ such consultants as Engineer deems necessary to assist in the performance or furnishing of the services, subject to reasonable, timely, and substantive objections by City.
- C. *Reliance on Others:* Subject to the standard of care set forth above, Engineer and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, professional certifications, contractors, suppliers, manufacturers, and the publishers of technical standards.
- D. *Compliance with Laws, Regulations, Policies, and Procedures:* Engineer and the City shall comply with applicable laws, regulations, policies, and procedures.

- E. *Certifications and Signatures*: Engineer shall not be required to sign any documents, no matter by whom requested, that would result in the Engineer having to certify, guarantee, or warrant the existence of conditions whose existence the Engineer cannot ascertain.
- F. Engineer shall not at any time supervise, direct, control, or have authority over any contractor work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at the site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing its work.
- G. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform the work in accordance with the contract documents, or for the acts or omissions of any consultant, contractor, subcontractor, or supplier who is not retained by Engineer to perform services under this AGREEMENT.

5.2 Independent Contractor: Engineer is an independent contractor. The manner in which the services are performed shall be controlled by Engineer; however, the nature of the services and the results to be achieved shall be specified by the City. All services provided by Engineer pursuant to this AGREEMENT shall be provided by the Engineer as an independent contractor and not as an employee of the City for any purpose, including but not limited to: income tax withholding, workers' compensation, unemployment compensation, FICA taxes, and eligibility for employee benefits.

5.3 Insurance and Indemnification.

- A. Engineer shall maintain statutory workers' compensation insurance coverage.
- B. Engineer shall procure and maintain commercial general liability insurance coverage for protection from claims for damages because of bodily injury including personal injury, and from claims against it for damages because of injury to or destruction of property including loss of use resulting therefrom. The policy shall provide coverage for each occurrence in the minimum amount of \$1,000,000. The City shall be listed as an additional insured.
- C. Engineer shall also procure and maintain professional liability insurance coverage for damages arising out of the performance of services caused by a negligent error, omission or act for which Engineer is legally liable.
- D. Certificates of insurance will be provided to the City upon execution of the contract and thereafter upon request by the City.

- E. The Engineer agrees, to the fullest extent permitted by law, to indemnify and hold harmless the City and its officials, agents, and employees against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the Engineer's negligent performance of professional services under this Agreement and that of its subconsultants or anyone for whom the Engineer is legally liable.
- F. The City agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Engineer, its officers, directors, employees and subconsultants against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the City's negligent acts and the acts of its contractors, subcontractors or consultants or anyone for whom the City is legally liable.
- G. Neither the City nor the Engineer shall be obligated to indemnify the other party in any manner whatsoever for the other party's own negligence or for the negligence of others.

5.4 Opinions of Cost

- A. Engineer's opinions of probable project cost, construction cost, life cycle cost, alternative evaluations, and considerations for operations and maintenance costs are to be made on the basis of Engineer's experience and qualifications and represent Engineer's best judgment as an experienced and qualified professional generally familiar with the construction industry. It is recognized, however, that Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions. Engineer, therefore, cannot and does not guarantee that proposals, bids, or actual costs will not substantially vary from opinions of probable costs prepared by Engineer and submitted to the City.
- B. The services of Engineer with respect to total project costs shall be limited to assisting the City in collating the various cost categories which comprise total project costs. Engineer assumes no responsibility for the accuracy of any opinions of total project costs.

5.5 Data Practices Act Compliance: Data provided by Engineer or created under this AGREEMENT shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. If a data practices request is made to the City pursuant to Minnesota Statutes Section 13.03, subdivision 3, upon notification by the City to Engineer of the request, Engineer shall promptly provide the City with any information that Engineer may have that is responsive to the request.

5.6 Use of Documents

- A. All Documents prepared and submitted by Engineer are instruments of service, and Engineer shall retain an ownership and property interest therein (including the copyright and the right of reuse at the discretion of the Engineer) whether or not the project or service is completed. The City shall not rely in any way on any document unless it is submitted by the Engineer in its final form.
- B. At the time of completion or termination of this AGREEMENT or for each "TASK ORDER," Engineer shall make available to the City, upon request, copies of all deliverables, maps, reports, and correspondence, pertaining to the work performed under this AGREEMENT or a project described in a TASK ORDER. All such documents are not intended or represented to be suitable for reuse by the City or others on extensions of the work or project or to any other project. Any reuse without written verification or adaptation by Engineer for the specific purpose intended will be at the City's sole risk and without liability or legal exposure to Engineer. In this regard, the City will indemnify and hold harmless Engineer from any and all suits or claims of third parties arising out of such reuse, which is not specifically verified, adapted, or authorized by Engineer.
- C. In the event electronic copies of documents are made available to the City, the Engineer makes no representations as to long-term compatibility, usability, or readability of such documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by the documents' creator.

5.7 Design without Construction Phase Services: The City acknowledges that it is customary for the Engineer who is responsible for the design of a project to be employed to provide professional services during the construction phases of that project. Therefore, the following provisions apply in the event that the City does not retain the Engineer for construction phase services. The City waives all claims against the Engineer that may be connected in any way to construction phase engineering or professional services except for those services that are expressly required of Engineer on the project.

5.8 Conflict of Interest: The Engineer shall use best efforts in the performance of its services and professional obligations to avoid conflicts of interest and appearances of impropriety in representation of the City. The Engineer will not accept any client or project work that places the Engineer in ethical conflict during its representation of the City and shall immediately notify the City, and take necessary corrective actions, upon learning of the existence of any potential conflict of interest. The Engineer does hereby fully disclose that Engineer is currently designated the Town Engineer for West Lakeland Township.

5.9 Termination

- A. Either party may terminate this AGREEMENT upon thirty (30) days written notice.

- B. Either party has the right to terminate any "TASK ORDER" upon ten (10) days' written notice. In addition, the City may at any time, reduce the scope of a "TASK ORDER". Such reduction in scope of services shall be set forth in a written notice from the City to the Engineer.
- C. In the event of a reduction in scope of a TASK ORDER or termination of this AGREEMENT, Engineer shall be paid for the work performed and expenses incurred thus reduced and for any completed and abandoned work for which payment has not been made.
- D. In the event of termination of a "TASK ORDER," copies of all documents prepared by Engineer under the authorization shall be made available by Engineer to the City, pursuant to ARTICLE 5.5, and there shall be no further obligation of the City to Engineer under the task order, except for payment of amounts due and owing for work performed and expenses incurred to the date and time of termination, plus expenses incurred by Engineer to gather, compile, copy, and transmit all documents requested by the City.
- E. In like manner, if the entire AGREEMENT is terminated, copies of all remaining documents on file with the Engineer shall also, upon request, be made available to the City pursuant to ARTICLE 5.6 upon receipt of payment of amounts due and owing Engineer for any authorized work, plus expenses incurred by Engineer to gather, compile, copy, and transmit all documents requested by the City.

5.10 Controlling Law: This AGREEMENT is to be governed by the laws of the State of Minnesota.

5.11 Successors and Assigns

- A. The City and Engineer are hereby bound and the successors and assigns, and legal representatives of the City and Engineer are hereby bound to the other party to this AGREEMENT and to the successors, assigns and legal representatives of such other party, in respect of all covenants, agreements, and obligations of this AGREEMENT.
- B. Neither the City nor Engineer may assign or transfer any rights under or interest in this AGREEMENT, or any portion thereof, without the written consent of the other party. Nothing contained in this paragraph shall prevent Engineer from employing such independent professional associates and consultants as Engineer may deem appropriate to assist in the performance of services hereunder.
- C. Nothing under this AGREEMENT shall be construed to give any rights or benefits in this AGREEMENT to anyone other than the City and Engineer.

5.12 Dispute Resolution

- A. The City and Engineer agree to negotiate all disputes between them in good faith for a period of thirty (30) days from the date of notice prior to invoking other provisions of this AGREEMENT, or exercising their rights under law.
- B. The City and Engineer agree that all disputes between them arising out of or relating to this AGREEMENT shall first be submitted to non-binding mediation unless the parties mutually agree otherwise, thereby providing for mediation as the primary method for dispute resolution between the parties to this AGREEMENT.

5.13 Notices: Any notice required under this AGREEMENT will be in writing, addressed to the appropriate party at its address on the signature page and given personally, by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.

5.14 Survival, Severability, Waiver

- A. *Survival*: All express representations, waivers, indemnifications, and limitations of liability included in this AGREEMENT will survive its completion or termination for any reason.
- B. *Severability*: Any provision or part of the AGREEMENT held to be void or unenforceable under any laws or regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the City and Engineer.
- C. *Waiver*: A party's non-enforcement of any provision shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the date first above written.

FOCUS ENGINEERING, inc.

CITY OF LAKE ELMO, MINNESOTA

By _____

By _____

John (Jack) W. Griffin, P.E.
Principal / Chief Financial Officer

Mayor

By _____

City Clerk

EXHIBIT A

FOCUS ENGINEERING, inc.

2018-2022 Hourly Rate Schedule

Standard Hourly Rates include salaries and wages paid to personnel in each staff position plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.

PROFESSIONAL ENGINEERING STAFF	HOURLY RATES				
	2018 \$/HR.	2019 \$/HR.	2020 \$/HR.	2021 \$/HR.	2022 \$/HR.
Sr. Municipal Engineer III – Jack Griffin	\$120	\$123	\$123	\$130	\$130
Sr. Municipal Engineer II – Cara Geheren	\$112	\$115	\$115	\$120	\$120
Sr. Municipal Engineer I – Mark Scholle	\$105	\$108	\$108	\$113	\$113
Municipal Engineer III – Ryan Stempski	\$98	\$100	\$100	\$105	\$105
Municipal Engineer II	\$90	\$92	\$92	\$97	\$97
Municipal Engineer I – Chad Isakson	\$85	\$87	\$87	\$92	\$92
Project Engineer – Amanda Groh	\$72	\$74	\$74	\$78	\$78
Graduate Engineer	\$65	\$67	\$67	\$70	\$70
Interns	\$48	\$50	\$50	\$50	\$52
Construction Field Engineer	\$85	\$87	\$87	\$92	\$92
Hyperion Consulting LLC (Dave Klocker)					

★ *Staffing is subject to change. Names are provided for reference only.*

Reimbursable Expenses Schedule

- Vehicle Mileage reimbursed at the current Federal IRS Rate. Mileage shall not be reimbursed for any tasks performed under the General Engineering Retainer Services.
- Identifiable printing and reproduction costs when incurred in the direct performance of the City's work.
- Other expenses for items and services as may be required by the City to fulfill the terms of a specific Task Order.



STAFF REPORT

DATE: January 2, 2018
CONSENT

AGENDA ITEM: Mountain Bike Trail Development

TO: Mayor and City Council

SUBMITTED BY: Ben Prchal, City Planner

BACKGROUND:

The Parks Commission has been in the process of determining which of the Lake Elmo Parks would be best suited for the development of mountain bike trails. Staff provided information to the Minnesota Off Road Cyclists (MORC) Trail Committee and Tim Wegner who is a trail developer. They both uniformly agreed that Sunfish was the strongest candidate and Reid Park fell into second place. None of the other parks had adequate space for trails. Tim had presented at the December Parks Commission meeting, providing information about the development process and best practices for being multiple users, design, and being environmentally aware during the construction. Tim had stated he would construct a preliminary line drawing for Sunfish Park. After some deliberation Tim had stated he would also do a drawing for Reid Park, the total to do both parks was set at \$1,500.

ISSUE BEFORE COMMISSION:

Would the council like to approve the expenditure of \$1,500 for Trail Source to develop a line drawing for mountain bike trails in Sunfish and Reid Park?

FISCAL IMPACT:

At this point the fiscal impact would be \$1,500 to be taken out of park dedication funds. Further cost will come with the actual construction of the trails. It was stated that cost would range close to \$35,000 a mile. If the City would like to continue forward with the development we should start preparing for that investment.

OPTIONS:

- 1) Approve the Parks Commission request to contract with Trail Source to develop a line drawing trail map for Sunfish and Reid Park.
- 2) Deny the Parks Commissions Request.

RECOMMENDATION:

Staff recommends that Council approve as part of tonight's Consent Agenda the Parks Commission Request to approve the expenditure of \$1,500 of park dedication funds to develop a line drawing trail map for Sunfish and Reid Park for mountain bike trails. If removed from the Consent Agenda, the recommended motion is as follows:

“Motion to approve the Parks Commissions request to approve the expenditure of \$1,500 of park dedication funds to develop a line drawing trail map for Sunfish and Reid Park for mountain bike trails.”



STAFF REPORT

DATE: January 2, 2018
REGULAR #08

AGENDA ITEM: Acting Mayor

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

Minnesota State Statute § 412.121 reads: “At its first meeting each year the council shall choose an acting mayor from the council members. The acting mayor shall perform the duties of mayor during the disability or absence of the mayor from the city or, in case of vacancy in the office of mayor, until a successor has been appointed and qualifies.”

ISSUE BEFORE COUNCIL:

Who should the Council appoint as Acting Mayor?

PROPOSAL:

The City Council is asked to select an Acting Mayor on the City’s behalf, should Mayor Pearson be unavailable or unable to attend a meeting, sign an agreement, or attend functions on behalf of the City.

OPTIONS:

Any of the four council members may be appointed acting mayor.

RECOMMENDATION:

“Move to appoint Council Member _____ as Acting Mayor for 2017, to comply with and fulfill all duties enumerated in Minn. Statute § 412.121 relating to selection of an Acting Mayor.”



STAFF REPORT

DATE: January 2, 2018
REGULAR #9

AGENDA ITEM: Fire Relief Association Board of Trustees Appointments

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

Consistent with state statute, the by-laws of the Lake Elmo Firefighters Relief Association provide that there be two officials of the City that serve on its Board of Trustees along with the fire chief. One must be an elected official and the other may be an elected or appointed official. The Council should select one of its members (as required) and one other official (either a councilmember by name or a staff position by title) to the Firefighters Relief Association Board of Trustees.

ISSUE BEFORE COUNCIL:

Who should the Council appoint along with the Fire Chief to the Fire Relief Board of Trustees?

PROPOSAL:

In the past, the Council has appointed the Finance Director or Building Official to the Board of Trustees. In 2017 Building Official Mike Bent and Council Member Lundgren were the appointed officials.

OPTIONS:

As stated above, one appointment must be an elected official (Mayor or any council member) and the other may be either elected or appointed (Mayor, Council member or any staff member).

RECOMMENDATION:

“Move to appoint Fire Chief Malmquist, Building Official Mike Bent, and Council Member _____ to the Fire Relief Association Board of Trustees for 2018.”



STAFF REPORT

DATE: January 2, 2018
REGULAR #10

AGENDA ITEM: Planning Commission Appointments

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

The Planning Commission is established to meet the requirements of state statute; to develop and enforce the Comprehensive Plan and amendments to the plan, subject to Council approval and the requirements of the Municipal Planning Act; and to review and make recommendations on subdivisions, zoning applications, planned unit developments, and site and building plans as provided by ordinance. No expenditures by the Commission shall be made unless and until authorized for the purpose by the Council. The Planning Commission shall consist of 7 voting members and 2 non-voting alternate members. The voting members shall be appointed for a 3-year term so that only 1/3 of the appointments will expire on December 31 of each year.

The terms of two commissioners expired 12/31/17: Todd Williams and Rolf Larson. The city notified both individuals of their terms expiring in early December asking them to reapply if they were interested in another term. The city also advertised for applications from the general public.

ISSUE BEFORE COUNCIL:

Who should the Council appoint to the Planning Commission as alternates?

PROPOSAL:

With Todd and Rolf not expressing an interest in re-applying, staff would recommend the first and second alternates (Terry Emerson and Stuart Johnson) be moved to voting members for a three year term each expiring on 12/31/2020. Council may then appoint two new alternates.

The following individuals have expressed an interest in being appointed to the Planning Commission:

Kathy Weeks
Tucker Pearce
Mardi Kiner

A special Council meeting is being held at 5pm on January 2nd to interview the applicants. If Tucker Pearce is appointed to the Planning Commission he intends to resign from the Parks Commission which would create a second opening on that body.

OPTIONS:

Any two of the above individuals would be eligible for appointment to the Planning Commission.

RECOMMENDATION:

“Move to make Terry Emerson and Stuart Johnson voting members of the Planning Commission for terms ending 12/31/2020.”

AND

*“Move to appoint _____ and _____ to the Planning Commission as alternates
1 and 2 respectively”*

Or take the appointments separately (2 motions)

“Move to appoint _____ to the Planning Commission as 1st alternate”

“Move to appoint _____ to the Planning Commission as 2nd alternate”



STAFF REPORT

DATE: January 2, 2018
REGULAR #11

AGENDA ITEM: Parks Commission Appointments

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

The Parks Commission is established to review and make recommendations to the Council on the future development of city parks, including the establishment of and improvements to the parks, and to make recommendations to the Council on policies governing the maintenance and public use of the parks within the city. The Parks Commission shall consist of 7 members and 2 alternate members. The voting members shall be appointed by the City Council for a 3-year term.

The term of David Steele expired 12/31/17.

ISSUE BEFORE COUNCIL:

Who should the Council appoint to the Parks Commission as 2nd alternate?

If Tucker Pearce is appointed to the Planning Commission, Council would be looking to appoint a 1st and 2nd alternate.

PROPOSAL:

The following individuals have expressed an interest in being appointed to the Parks Commission:

Virginia Pleban

David Steele

Barry Weeks

A special Council meeting is being held at 5pm on January 2nd to interview the applicants.

OPTIONS:

Any of the above individuals would be eligible for appointment to the Parks Commission as 1st and/or 2nd Alternate.

RECOMMENDATION:

“Move to appoint Jean Olinger as a voting member for a term expiring 12/31/2020 and John Mayek to a term expiring 12/31/2018 (if Pearce is appointed to the Planning Commission)”

AND

“Move to appoint _____ and _____ to the Parks Commission as alternates 1 and 2 respectively”

Or

“Move to appoint _____ to the Parks Commission as 2nd alternate”



Staff Report

DATE: 12/19/2017
REGULAR
ITEM #: 12
MOTION

AGENDA ITEM: Planning Department 2018 Work Plan
SUBMITTED BY: Emily Becker, Planning Director
REVIEWED BY: Ben Prchal, City Planner
Planning Commission

BACKGROUND:

Each year the Planning Staff and the Planning Commission prepare an annual work plan for the Department. The 2018 work plan was reviewed by the Planning Commission in November of 2017. The Council typically reviews the work plan and provides comments as needed about Department tasks and priorities. The primary intent of the work plan is to help prioritize the projects the Planning Staff and Planning Commission will be reviewing over the course of 2018, and to also help keep the Commission informed about the internal planning related activities and projects that will be undertaken by the Staff over the coming year. This is a working document that provides guidance to the Commission and Council yet has the flexibility to respond to priorities as they emerge. It will also help the Commission and Planning Staff to gauge its progress at achieving some of its goals for the year.

ISSUE BEFORE COUNCIL:

Review and provide comment regarding Planning Department tasks and priorities for 2018 as needed.

OPTIONS:

1. Approve the work plan as presented
2. Amend the work plan.

FISCAL IMPACT:

Not yet specified. Certain items on the work plan may require outside assistance, such as the zoning code codification and work on a form based code. Staff will seek Council direction as appropriate prior to utilizing such assistance.

RECOMMENDATION:

Staff and the Planning Commission recommended the following motion:

“Move to accept the 2018 Planning Development Department Work Plan”

ATTACHMENTS:

1. 2018 Planning Development Department Work Plan

2018 Planning Department Work Plan

Prepared by the Lake Elmo Planning Commission: 11/27/17

Accepted by the City Council: _____



Key

Status	C – Complete IP – In Progress
PL	Priority Level (1-5 with 1 being the highest priority)

Project and Description	PL	Status
Zoning Map Amendments		
• To be done after 2040 Comprehensive Plan update	2	IP
Zoning Text Amendments		
• Codify Zoning Ordinance	1	
• Home Occupation Ordinance	3	
• Update PUD Ordinance to match OP PUD Process	2	IP
• Outdoor Lighting Ordinance Revisions	5	
• Draft a form-based code to supplement the Village Mixed-Use zoning district based on the scope of work (Incorporate design standards from the Design Standards Manual as part of a form-based code)	5	
• Resolve zoning conflicts with the Metropolitan Airports Commission, Met Council, MnDOT, and Washington County	4	IP
• Implement City airport zoning regulations for the airport safety zones within the Village Planning Area	4	IP
• Solar garden/solar power ordinance	3	IP
• Wind power ordinance	3	IP
• Sign Ord. – along freeway (10 th St to I-94 area) and monument signs in development (size and number)	2	IP
• AirBNB/Bed and Breakfast Ordinance Amendment	4	IP
• Driveway Ordinance Amendment	4	IP
Subdivision Ordinance Amendments		
Platting for Minor Subdivisions		
• Update subdivision submission requirements	1	IP
• Prepare update to incorporate updated engineering standards	4	IP
Comprehensive Plan Amendments		
2040 Comprehensive Plan Update		
• Plan for possible density reductions and re-guiding land use in the Village and I-94 area to address changes in the 2015 system statement	1	IP
• Assist with the creation of a master plan for selected City parks, provide assistance to Parks Commission as needed	3	IP

<ul style="list-style-type: none"> • Prepare CPA to guide RR and A parcels less than 20 acres in size to RE 	1	
<ul style="list-style-type: none"> • Study into modifying the Zoning Code and Comprehensive Plan to include requiring and/or incentivizing affordable housing in sewer development 	2	
Other Planning Initiatives		
<ul style="list-style-type: none"> • Submit application for new Village Parkway railroad crossing 		
<ul style="list-style-type: none"> • Develop a policy or ordinance for stormwater reuse. 	3	
<ul style="list-style-type: none"> • Add/Review Planning Module from Permit Works to track planning and zoning applications 	3	
<ul style="list-style-type: none"> • Investigate conservation easement holder options/city policy 	1	
<ul style="list-style-type: none"> • Research /develop drone policy or ordinance 	2	
Ongoing Planning Activities		
<ul style="list-style-type: none"> • Planning Commission review of Capital Improvement Plan for consistency with the Comprehensive Plan 	3	IP
<ul style="list-style-type: none"> • Provide support to code enforcement program with the Building Inspector as the City's code enforcement officer 	3	IP
<ul style="list-style-type: none"> • Conduct review of 201 (community) septic system policies and management practices. Develop system for proper oversight, billing, and maintenance of community systems. 	3	IP
<ul style="list-style-type: none"> • Archive older zoning files 	4	IP
<ul style="list-style-type: none"> • Streamline & Improve Policies/Procedures for the handling of routine land matters including but not limited to variances, site plan review, setbacks et al; 	1	IP



STAFF REPORT

DATE: January 2, 2018
REGULAR #13

AGENDA ITEM: Parks Commission Work Plan for 2018

TO: Mayor and City Council

SUBMITTED BY: Ben Prchal, City Planner

BACKGROUND:

Each year the Planning Staff, Public Works Director, and the Parks Commission prepare an annual work plan for the Department. The 2018 work plan was reviewed by the Parks Commission in December of 2017. The Council typically reviews the work plan and provides comments as needed about Department tasks and priorities. The primary intent of the work plan is to help prioritize the projects for Planning Staff and Public Works throughout the course of 2018, and to also help keep the Commission informed about the internal planning related activities and projects that will be undertaken by the Staff over the coming year. This is a working document that provides guidance to the Commission and Council yet has the flexibility to respond to priorities as they emerge. It will also help the Commission and Planning Staff gauge its progress at achieving some of its goals for the year. The document presented contains final drafted language for the Parks Work Plan for 2018.

ISSUE BEFORE COMMISSION:

Review and provide comment regarding Planning Department and Public Works tasks for the Parks Work Plan for 2018?

PROPOSAL DETAILS/ANALYSIS:

A copy of the Park Work Plan for 2018 is included in your packet. It includes projects that do have a cost associated with them and are outlined in the Capital Improvement Plan.

The work plan includes 23 separate projects, the cost of these projects is slightly dependent upon the Public Works budget as well as the funds which have been reserved for Capital Improvements. Projects can range from updating/refurbishing, policy creation, and research related tasks to provide information for decision making.

FISCAL IMPACT:

Park Maintenance and Refurbishing	Cost set in Public Works Budget
Demontraville Park	\$75,000 – Grading and new Back Stop
Reid Park	\$25,000 – Widening of Trails/Other Amenities
Tablyn Park	\$55,000 – Improvements on Lighting and Parking
TOTAL 2018 IMPROVEMENT COST	\$155,000

OPTIONS:

- 1) Approve the Parks Commission Work Plan for 2018 as presented
- 2) Amend and then Approve the Work Plan for 2018

RECOMMENDATION:

“Motion to approve the Parks Commission Work Plan for 2018”

ATTACHMENT: Draft Parks Commission Work Plan for 2018



2018 Parks Commission Strategic Plan of Work

The City of Lake Elmo Park Commission has affirmed their overall goals to be:

- 1) Ensure that our parks and trail system are constructed / maintained.
- 2) Provide recreational amenities that will attract more taxpayer use of public lands.
- 3) Create a safe environment in all our parks.
- 4) Serve as a review body to make sure the “open space” character development is preserved in new developments.

With the broader priorities defined, the 2018 Park Commission Strategic Plan of Work has been broken down into six segments: Planning & Policy; Park Development & Equipping; Maintenance & Refurbishing; Nature & Conservation; Park Awareness; and Finance.

Status and Timeline (projected months in which project will be brought to Parks Commission meeting) are also indicated in order to better manage goals and objectives.

Planning and Policy			
Assess future park needs.			
Project	Specific Tasks	Status	Timeline
Work with the County on updating the Central Greenway Trail Master Plan.	<ul style="list-style-type: none"> • Recommend alternative routes for regional trail, as CSAH 17 in downtown Lake Elmo may no longer be best route, and County now has jurisdiction over Co. Hwy. 5. 	SRF was selected to develop the Master Plan John Mayek – was chosen to represent the Lake Elmo	County has yet to determine hard dates – expected to start in December 2017 into 2018
Update City Trail Plan	<ul style="list-style-type: none"> • Work with staff on outlining missing trail connections in order to create a plan that can effectively communicate to developers planned trails within the City. • Part of Comp Plan 2040 update. • Review master City Trail plan 	In Progress	Dependent on consultant timeline
Work on the Parks and Open Space component of the 2040 Comprehensive Plan update.	<ul style="list-style-type: none"> • Work with staff and consultant to gain public input on Parks and Open Space component of Comprehensive Plan. • Consider recommendations from Staff and consultant based on community input sessions. • Make recommendation to Council on specific changes needed to Comprehensive Plan. 	In Progress per the CPAP meeting on September 27 th	Dependent on consultant timeline

Mountain Biking Within Parks	<ul style="list-style-type: none"> • Assess Lake Elmo Parks for biking/mountain biking 	Communicating with 3 rd party for parks assessment	Ongoing
Development Review	<ul style="list-style-type: none"> • Continue to make recommendations on development applications with a focus on proper equipping of parks and available park funding. • Look at/have available 5 year CIP 	Ongoing	Ongoing
Adopt a park program.	<ul style="list-style-type: none"> • Establish maintenance standards to follow when a park adoption takes place 	In progress	Ongoing
Timeline for Park Master Plan	<ul style="list-style-type: none"> • Receive updates on status of drafted plan 	Ongoing	Dependent on consultant
Park use plan	<ul style="list-style-type: none"> • Revisit and update the plan 	Ongoing	As needed
Look for Grant Opportunities	<ul style="list-style-type: none"> • Look for grant opportunities that aide in development of parks within the City. 	Ongoing	Ongoing

Development & Equipping

Begin work on approved projects (those in the Capital Improvement Plan or have received a form of funding approval).

Project	Specific Tasks	Status	Timeline
Demontreville Park	<ul style="list-style-type: none"> • \$75,000 to new field, grade existing field, and add new back stop • Search for grant opportunities – such as Fields for Kids 	Draft 2018-2022 CIP	2018
Lions Park Renovation	<ul style="list-style-type: none"> • Assess viability of building a pavilion/warming house • Phase 2 – add pavilion and tables but only if donated 	Active, Draft 2018-2022 CIP	To be completed 2018 Phase 2 – 2018-2022 plan
Reid Park	<ul style="list-style-type: none"> • \$25,000 for the widening of trails • Take in grant moneys or in-kind donations for mountain bike trails 	Draft 2018-2022 CIP	Planned for 2018
Tablyn Park	<ul style="list-style-type: none"> • Address lighting and parking issues - \$55,000 (Phase 1) 	Draft 2018-2022 CIP	Phase 1 – 2018

Maintenance & Refurbishing

Maintain and upgrading park facilities in a manner that increases park use for a relevant experience.

New soccer and tennis nets, add benches and garbage cans.	<ul style="list-style-type: none"> Public works to carry out maintenance. 	Recommended by Public Works	July
Move play equipment at Ridge Park to higher area that does not have standing water.	<ul style="list-style-type: none"> Public works to carry out maintenance. 	Recommended by Public Works	July
Pickleball	<ul style="list-style-type: none"> Refurbish current tennis courts to accommodate pickleball 	In Progress as of 10.16.17	Unknown
Park needs assessment	<ul style="list-style-type: none"> To be completed by public works staff 	Ongoing	On going

Nature & Conservation

Mission Statement: To promote the open space character and commitment to the environment via nature observation amenities and targeted conservation programs.

Project	Specific Tasks	Status	Timeline
Sunfish Lake Forest Management Plan	<ul style="list-style-type: none"> Break down plan in to measurable goals Phase 1 north and Phase 2 south Implement plan. 	In motion as of 10.16.17	2018
Sally Manzara Nature Center	<ul style="list-style-type: none"> Provide support as detailed in the agreement. 	In Progress	On going

Park Awareness

Mission Statement: To promote the utilization of City Parks.

Project	Specific Tasks	Status	Timeline
Create a park awareness plan.	<ul style="list-style-type: none"> Special events, publications, website update, e-blasts Public input sessions for Comprehensive Plan updates and adding new uses into the current parks 	As needed	As needed

Finance

Mission Statement: To effectively spend parkland dedication funds to meet the objectives of each year's Strategic Plan of Work while maintaining a minimum fund balance of \$100,000.

Project	Specific Tasks	Status	Timeline
Update Capital Improvement Plan if needed to accomplish goals outlined herein.	<ul style="list-style-type: none"> Reassess funding priorities as needed. 	As needed	May/June 2018
Provide quarterly budget for Parks Committee meetings	<ul style="list-style-type: none"> Provide financials for the funds which are being received and spent on a quarterly basis 	Provided Quarterly	Ongoing



STAFF REPORT

DATE: January 2, 2018

REGULAR

ITEM #14

TO: Honorable Mayor and City Council
FROM: Brian A. Swanson – Finance Director
AGENDA ITEM: 2018 Finance Committee Work Plan
REVIEWED BY: Kristina Handt, City Administrator

BACKGROUND:

Each year, staff and the Finance Committee prepare an annual work plan for financial related City initiatives and goals. The Finance Committee reviewed the 2018 work plan in November of 2017. The City Council typically reviews the work plan and provides comments as needed about tasks and priorities. The primary intent of the work plan is to help prioritize the initiatives and goals related to City related financial matters over the course of 2018. In addition, this plan helps keep the Finance Committee informed about the internal planning related activities and projects that will be undertaken by the staff over the coming year. This is a working document that provides guidance to the Finance Committee and City Council yet has the flexibility to respond to priorities as they emerge. It will also help the Finance Committee and staff to gauge its progress at achieving some of its goals for the year.

ISSUE BEFORE THE CITY COUNCIL:

Does the City Council have any amendments, comments or questions regarding the attached 2018 Finance Committee Work Plan?

DISCUSSION:

Subsequent to the approval of the 2018 Finance Committee Work Plan, below are additional items for consideration in 2018:

- 1) Possible reestablishment of the EDA and issuance of lease revenue bonds for facility purchase.
- 2) Assessment Policy revision
- 3) Request for Proposal for Audit Services and Bond Counsel

FISCAL IMPACT:

Certain items on the work plan may require outside assistance and costs, such as implementation of credit card and on-line payment options. As items or projects materialize, staff will seek direction, as appropriate prior to utilizing such assistance.

OPTIONS:

- 1) Accept the 2018 Finance Committee Work Plan.
- 2) Amend and then Accept the 2018 Finance Committee Work Plan

RECOMMENDATION:

“Motion to approve the 2018 Finance Committee Work Plan.”

ATTACHMENTS:

- 1) 2018 Finance Committee Work Plan



2018 Finance Committee Plan of Work

Meeting Date	Project/Task	Priority (1-5, with 1 being highest)
January	Discussion on Components of Long Range Plan for General Fund	1
	WAC/SAC Review	2
	Election of Officers	1
February	Park Dedication Fund Policy	2
	Purchasing Policy Review	2
March	2018 Bonding Projects	1
	Credit Card and Online Payment Options	1
April	General Fund Long Range Plan Update	1
	Utility Pro Forma Update	1
	1 st Quarter Financials	1
May	2017 Audit	1
June	2019-2023 CIP	1
	Finalize Assumptions for General Fund Long Range Plan	

July	2019 GF Operating Budgets	1
	2 nd Quarter Financials	1
	Utility Pro Forma Update	1
August	2019 GF Operating Budgets	1
	2019 Utility Budgets	1
	2019-2023 CIP	1
September	2019 Utility Budgets	1
October	3 rd Quarter Financials	1
	2019 Fee Schedule	
	Utility Pro Forma Update	1
November	2019 Work Plan	1
	2019 Fee Schedule	1
December		



STAFF REPORT

DATE: January 2, 2018

REGULAR

ITEM #: 15

TO: City Council
FROM: Emily Becker, Planning Director
AGENDA ITEM: Sign Regulations
REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

The City Council discussed the Sign Ordinance at its June 13, 2017 workshop. Areas of concern included the area allowed for signs along the freeway (10th Street to the I-94 area) and monument signs in development (the size and number allowed).

The Planning Commission then reviewed the City's Sign Ordinance at its August 14, 2017 and November 27th, 2017 meetings. A public hearing was held on December 11, 2017.

The Council discussed the sign ordinance amendments at its meeting on December 19, 2017, but the motion to adopt the Resolution approving the amendments was not passed with a vote of 2-2.

ISSUE BEFORE THE COUNCIL:

The Council is being asked to review proposed ordinance amendments and adopt Ord. 08-192 approving amendments as well as Resolution 2018-004 authorizing summary publication of Ord. 08-192.

REVIEW/ANALYSIS:

The proposed ordinance amendment includes the following changes:

- Allows subdivision signs to be located within a public right-of-way provided an encroachment and license agreement is obtained.
- Allows direction signs to places of worship, schools, parks, and public buildings to be located within the right-of-way provided they do not exceed four feet in size and approval from the road authority is obtained.
- Subdivisions are allowed up to one subdivision identification sign per entrance instead of two as previously allowed.
- The maximum size allowed for subdivision identification signs has been changed from 24 square feet to 32 square feet for the main entrance and 24 square feet for all other signs.

- The table indicating allowable sign square footage has been reformatted slightly to classify the allowable size of signs by the street type to which the sign is adjacent (local, collector, minor arterial, or principal arterial street) instead of the speed limit and number of lanes on the street.
- In lieu of a ground sign meeting underlying zoning requirements, properties located south of 5th Street and north of I-94 may have one ground sign up to 30 feet in height and up to 250 square feet in size when within 50 feet of the property line nearest I-94. The base of the sign shall be constructed of materials that match those used on the building for which the sign is installed.
- Allows pylon signs by allowing signs erected on properties south of 5th Street and north of I-94 to be exempt from the requirement that pole signs are prohibited unless the pole portion is enclosed in a shroud causing sign to appear to have a monolithic base.

Public Hearing. During the public hearing that was held on December 11, 2017, one member from the public spoke. She explained that billboard signs are generally 600-700 square feet, and so the Commission should consider recommending a larger size for signs along I-94 in order to increase business visibility, thereby encouraging business prosperity within Lake Elmo.

FISCAL IMPACT:

A number of variance requests have been made for larger signs in the area south of 10th Street to I-94, and requests have been made by some developers to have more subdivision identification signs. These variance requests or requested flexibility through the Planned Unit Development process generate revenue but also take up a significant amount of Staff time. Further, allowing better visibility from I-94 for businesses may attract a better business base in this corridor.

OPTIONS:

The Council may:

- Make amendments to Ord. 08-192 and adopt Ord. 08-192 as amended as well as Summary Publication Resolution 2018-004.
- Adopt Ord. 08-192 as presented by staff and Summary Publication Resolution 2018-004.
- Do not adopt Ord. 08-192 or Summary Publication Resolution 2018-004.
- Table the item for a future meeting.

RECOMMENDATION:

Staff and the Planning Commission recommend that Council adopt Ord. 08-192 approving proposed amendments to the City Sign Regulations.

“Move to adopt Ord. 08-192 approving proposed amendments to the City’s Sign Regulations.”

Additionally, Staff also recommends that Council adopt Resolution 2018-004 authorizing Summary Publication of Ord. 08-192.

“Move to adopt Resolution 2018-004 authorizing summary publication of Ord. 08-.”

ATTACHMENTS:

- Ord. 08-192
- Resolution 2017-141 Authorizing Summary Publication of Ord. 08-192

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

ORDINANCE NO. 08-192

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
AMENDING THE CITY'S SIGN REGULATIONS**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Chapter 154: Zoning Code; Article VII: General Regulations; Section 154.212: Sign Regulations; Subd. (F) (2) (b) by amending the following:

- b. *Signs on Public Property.* No sign shall be located within or across any public right-of-way, or on any public property, easement, or utility pole, except for:
 - i. A sign erected by, or required by, a government agency or temporarily erected to protect the health and safety of the general public;
 - ii. A sign erected in conformity with subparagraph (a.ii) of this subsection.
 - iii. Subdivision identification signs, provided an encroachment and license agreement is obtained from the appropriate jurisdiction.
 - iv. Directional signs to places of worship, schools, parks and public buildings within the City not to exceed four square feet subject to the approval of the road authority. Not more than three directional signs are allowed for each building location.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Chapter 154: Zoning Code; Article VII: General Regulations; Section 154.212: Sign Regulations; Subd. (G) (1) (c) by amending the following:

- c. Subdivision Identification Signs
 - i. *Number.* Each residential subdivision is allowed up to ~~a maximum of two (2) one~~ subdivision identification signs per subdivision entrance. For the purposes of this section, residential subdivision shall include all phases of approved staged developments.
 - ii. *Location.* Subdivision identification signs shall be located near entrances to the subdivision, except that one sign may be located along an abutting arterial or major collector roadway.
 - iii. *Size.* The maximum size for a subdivision identification sign is 32 square feet at a subdivision's main entrance and twenty four (24) square feet for all other locations.
 - iv. *Setback.* Subdivision identification signs and support structure shall maintain a setback of at least ten feet from any street right-of-way. Signs as well as support structures within a center island shall maintain a setback of at least five feet from the curb and are subject to regulations set forth by 154.212 (F) (2) (b) of this Chapter.

SECTION 3. The City Council of the City of Lake Elmo hereby amends Chapter 154: Zoning Code; Article VII: General Regulations; Section 154.212: Sign Regulations; Subd. (H) (2) by amending the following:

Table 5-3 Ground Signs

Table 5-3 describes the zoning districts in which ground signs may be displayed, and the maximum height and area of the signs, as determined by street classification (as designated in the Lake Elmo Comprehensive Plan) of the closest street to which each free standing sign is located. For ground signs on zoning lots with more than one street frontage, use the higher street classification to determine the maximum height and area allowed. Businesses that are located on a road designed to provide safe access to minor arterials and principal arterials shall be permitted to erect a freestanding sign up to the determined maximum height and size allowable for a freestanding sign on said minor arterial or principal arterial road to which it is adjacent.

Table 5-3 Ground Signs				
Zoning District		A ^a , LDR, OP, RE, RS, RR ^a , RT ^a	MDR, HDR	BP, C, CC, GB, LC, VMX
No. of Total Traffic Lanes	Speed Limit (MPH)	Max Height/Area (Sq. Ft.)	Max Height/Area (Sq. Ft.)	Max Height/Area (Sq. Ft.)
1-3 Local Street	0-34	-	6'/32	10'/32-40
	35-44	-	6'/32	10'/50
Collector Street	45+	-	6'/32	10'/72-50
4-5 Minor Arterial	0-34	-	6'/32	10'/40-64
	35-44	-	6'/32	10'/64
Principal Arterial^b	45+	-	6'/32 ^b	12'/80^b

Notes to Table 5-3:

- a. Ground signs are only permitted in the A, RR, and RT districts in conjunction with agricultural sales business.
- b. In lieu of a ground sign meeting underlying zoning requirements, properties located south of 5th Street and north of I-94 may have one ground sign up to 30 feet in height and up to 250 square feet in size when within 50 feet of the property line nearest I-94. The base of the sign shall be constructed of materials similar to those used on the building for which the sign is installed.

SECTION 4. The City Council of the City of Lake Elmo hereby amends Chapter 154: Zoning Code; Article VII: General Regulations; Section 154.212: Sign Regulations; Subd. (D) (1) by amending the following:

1. *Permit Required.* Except as provided in this Section, it shall be unlawful for any person to place, erect, alter or relocate within the city, any sign without first obtaining a permit from the ~~Planning Director~~ Planning Department and making payment of all fees as required by the City's Fee Schedule. This subsection shall not be interpreted to require a permit for a change of copy on a changeable copy sign, changing occupant sign panels on a directory sign, repainting, cleaning, or other normal maintenance and repair of any existing sign or its structure as long as the sign copy does not change.

SECTION 5. The City Council of the City of Lake Elmo hereby amends Chapter 154: Zoning Code; Article VII: General Regulations; Section 154.212: Sign Regulations; Subd. (H) (c) by amending the following:

c. Type of Sign. Any permanent ground sign shall be erected as a monument sign. Pole signs are prohibited unless the pole portion of the sign is enclosed in a shroud that causes the sign to appear to have a monolithic base or support structure of any material measuring no less than one-third (1/3) of the greatest width of the sign at any point or unless the height is no greater than three (3) feet. This provision does not apply to signs erected on properties located south of 5th Street and north of I-94. The base of the monument sign shall not exceed the width of the widest portion of the sign face by more than twenty-five percent (25%).

SECTION 5. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 6. Adoption Date. This Ordinance 08-192 was adopted on this 2nd day of January 2018, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-____ was published on the ____ day of _____, 2018.

CITY OF LAKE ELMO

RESOLUTION NO. 2018-004

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 08-192 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the city of Lake Elmo has adopted Ordinance No. 08-192, an ordinance amending the Lake Elmo City Code of Ordinances by amending the City's Sign Regulations; and

WHEREAS, the ordinance is lengthy; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Administrator shall cause the following summary of Ordinance No. 08-192 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted the following changes Section 154.212: Sign Regulations; of Article VII: General Regulations; of Chapter 154: Zoning Code, of the City Code of the City of Lake Elmo:

- Subdivision signs may be located within a public right-of-way provided an encroachment and license agreement is obtained.
- Direction signs to places of worship, schools, parks, and public buildings may be located within the right-of-way provided they do not exceed four feet in size and approval from the road authority is obtained.
- Subdivisions are allowed up to one subdivision identification sign per entrance.

- The maximum size allowed for subdivision identification signs is 32 square feet for the main entrance and 24 square feet for all other signs.
- The table indicating allowable sign square footage has been reformatted slightly to classify the allowable size of signs by the street type to which the sign is adjacent (local, collector, minor arterial, or principal arterial street).
- In lieu of a ground sign meeting underlying zoning requirements, properties located south of 5th Street and north of I-94 may have one ground sign up to 30 feet in height and up to 250 square feet in size when within 50 feet of the property line nearest I-94. The base of the sign shall be constructed of materials that match those used on the building for which the sign is installed.
- Signs erected on properties south of 5th Street and north of I-94 are exempt from the requirement that pole signs are prohibited unless the pole portion is enclosed in a shroud causing sign to appear to have a monolithic base.

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

Dated: January 2nd, 2018.

Mayor Mike Pearson

ATTEST:

Julie Johnson, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

_____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same: _____

Whereupon said resolution was declared duly passed and adopted.