

City of Lake Elmo  
City Council Minutes

September 1, 2009

Mayor Johnston called the meeting to order at 7:00 p.m.

PRESENT: Mayor Johnston and Council Members DeLapp, Emmons, Park (arrived 7:10 p.m.), and Smith.

Also Present: Interim City Administrator Dawson, Planning Director Klatt, City Engineer Griffin, Attorney Snyder, Finance Director Bouthilet and City Clerk Lumby

APPROVAL OF AGENDA:

*MOTION: Council Member Emmons moved to approve the September 1, 2009 City Council agenda as presented. Council Member DeLapp seconded the motion. The motion passed 4-0.*

Future Workshop Items: Enforcement of sign ordinance; Discuss ordinance revision relating to storage for boats and trailers

ORDER OF BUSINESS:

GROUND RULES:

APPROVED MINUTES:

The August 18, 2009 City Council minutes were approved by consensus.

PUBLIC COMMENTS/INQUIRIES: None

CONSENT AGENDA:

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

- Approve payment of disbursements and payroll in the amount of \$117,460.16
- Adopt Resolution No. 2009-036 approving variance request by Vernon and Vicky Reichow for construction of a porch at 8619 Ironwood Trail
- Approve Resolution No. 2009-037 allowing construction of detached garage to be located closer to the road right-of-way than the existing house and attached garage by 26 feet on the 0.79 acre parcel at 4633 Birchbark Trail N.

REGULAR AGENDA:

Adopt Resolution No. 2009-038 setting proposed tax levy collectible in 2010

Craig Dawson, Interim City Administrator, reported that at its August 25 work session. The City Council directed staff to set the proposed tax levy at the maximum allowed by the levy limit statute. This action would give the Council maximum flexibility in determining the final tax levy to support the final budget for 2010. The increases to the levy for 2010 would be:

General Levy	\$28,660	
2008 MVHC Unallotment	\$19,365	
2009 MVHC Unallotment	\$35,475	
	3,500	Levy Limit Maximum
Existing Bonds	407	
2009 Street Improvement Bonds	\$51,000	Special levies, not subject to levy limits
	\$134,907	Total levy increase (4.98% over 2009)

The General Levy figure is greater than the simple 0.83% levy limit increase of \$19,357 that has been presented to Council to date. On August 26, the State's certified levy limit for cities became available, and the amount shown was \$28,660 an increase of \$9,303.

The 2010 proposed budget is presented in summary form and reflects the recommended budget presented by staff at the August 11 work session. The Council plans to discuss the budget further over the next few months and will likely have revisions for the proposed budget to be discussed during the public meeting on December 1.

Craig Dawson, Interim City Administrator, reported that numbers just coming in from Washington County indicate the decrease in the overall tax capacity will likely be less than the 5% amount assumed in developing the budget thus far.

*MOTION: Council Member DeLapp moved to adopt Resolution No. 2009-038 approving the proposed tax levy collectible in 2010 and the proposed general fund for 2010, and setting the public meeting on the budget for December 1, 2009. Council Member Smith seconded the motion. The motion passed 5-0.*

DeMontreville Trail shoulder widening/trail options as part of the Washington County Reconstruction and Turnback project

Jack Griffin, City Engineer, reported that at the July 21, 2009 meeting, the City Council directed staff to present the DeMontreville trail shoulder widening/trail options to the Park Commission and obtain its input. Staff made this presentation at the August 17, 2009, Park Commission meeting. The presentation included a high level summary of three options, costs and impacts associated with widening the shoulder or adding a trail along DeMontreville Trail. Jack Griffin added that a decision must be made in the next month and a half to ensure that something can get done in 2010.

FILE

City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, Minnesota

September 15, 2009

7:00 p.m.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE:
- C. ATTENDANCE: \_\_\_ Johnston \_\_\_ DeLapp, \_\_\_ Emmons, \_\_\_ Park  
\_\_\_ Smith
- D. APPROVAL OF AGENDA: (The approved agenda is the order in which the City Council will do its business.)
- E. ORDER OF BUSINESS: (This is the way that the City Council runs its meetings so everyone attending the meeting or watching the meeting understands how the City Council does its public business.)
- F. GROUND RULES: (These are the rules of behavior that the City Council adopted for doing its public business.)
- G. APPROVE MINUTES:
  - 1. Approval of the September 1, 2009 City Council minutes
- H. PUBLIC COMMENTS/INQUIRIES: In order to be sure that anyone wishing to speak to the City Council is treated the same way, meeting attendees wishing to address the City Council on any items NOT on the regular agenda may speak for up to three minutes.
- I. CONSENT AGENDA: (Items are placed on the consent agenda by city staff and the Mayor because they are not anticipated to generate discussion. Items may be removed at City Council's request.)
  - 2. Approve payment of disbursements and payroll
  - 3. Approve 2009 Street Improvements Payment Certificate #1
- J. REGULAR AGENDA:
  - 4. Approve conditional job offer to Bruce "Nick" Witter, Cheryl Pumper and Justin Pumper
  - 5. Consider proposal for construction of picnic shelter at Carriage Station
  - 6. Consider a request to amend the landscape plan for St. Croix Sanctuary subdivision
  - 7. Review of policy concerning signs placed within public right-of-way
  - 8. Direction to Planning Commission regarding storage of boats/trailers

K. REPORTS AND ANNOUNCEMENTS:  
(These are verbal updates and do not have to be formally added to the agenda.)

- Mayor and City Council
- Administrator
- Planning Director

L. Adjourn



Comments from the Park Commission have been provided.

Mayor Johnston stated that he received more than a dozen calls from people who have expressed their concern for the need of some type of safety improvement for pedestrians along DeMontreville Trail. The Mayor noted this is probably the most heavily walked area in the City and there is a need for a much improved path to walk safely to DeMontreville Wildlife Park and the Gateway Trail.

Council members Park and Smith indicated that just widening the road would not make it safer and would give users a false sense of security.

Council Member Emmons would like a better perspective of the priority system for trails used by the Parks Commission. He would like to explore it further and see if the City can get some sort of additional safety without spending a million dollars.

Council Members Smith and DeLapp commented that spending one-quarter of million dollars on a trail along a small stretch of road was not considered in this budget.

Denise and Terry Boczek, 8110 DeMontreville Trail N., voiced concerns on the cost and installing a separate trail cannot be physically accomplished due to limited right-of-way. They have lived their 20 years and found that only a few people walk by their house so they are not the most heavily walked street in the City.

Steve Nelson, 8080 DeMontreville Circle N., stated he has been a neighbor of Boczek's for twenty years and was not in favor of spending money on a trail. He pointed out that there is a 4' drop steeply down to the lake so there is no room to install a trail. He has not heard of an incident along the trail. He would like to see the road resurfaced for safety.

Nan Trang, 7970 DeMontreville Trail, stated he would be in favor of widening the shoulders, but this would increase speed on the road. If trees were cut in front of his house, because it is close to the road, Mr. Trang stated that when it rains this may cause problems with his foundation.

John Ames, 9799 51<sup>st</sup> Street N., commented as a resident runner there is not a place to go when a car comes and there are no sight lines along the lake. He asked the City to consider, as it will be doubling in population, there will be more users to the Gateway Trail.

*MOTION: Mayor Johnston moved to direct staff to schedule a meeting to take public input on options and impacts associated with widening the shoulder or adding a trail along DeMontreville Trail. Council Member Park seconded the motion. The motion passed 3-2 (Council Members DeLapp and Smith voting against.)*

City Administrator Contract

Sharon Klumpp, Senior Vice President of Springsted Inc., announced the hiring of the new City Administrator Bruce Alan Messelt and provided a signed contract. Mr. Messelt will fully assume his duties beginning September 28, 2009 and will work with current Interim Administrator Craig Dawson to ensure a smooth and timely transition.

The Lake Elmo City Council commended Mr. Dawson for his service as Interim City Administrator over the past eight months.

*MOTION: Mayor Johnston moved to approve the contract with Bruce Alan Messelt for the City Administrator position as presented and the press release subject to modifications by staff. Council Member Smith seconded the motion. The motion passed 5-0.*

*Mayor Johnston read a proclamation recognizing the contributions of Jim Beers to the City of Lake Elmo*

REPORTS AND ANNOUNCEMENTS:

In discussing topics for the September 8<sup>th</sup> work session, Council decided that it would hold the informational meeting regarding potential walkway/bikeway along DeMontreville Trail at 6:30 p.m., September 8, in the Council chambers.

The meeting was adjourned at 8:55 p.m.

City Council  
9/15/2009  
CONSENT  
Item: 2

ITEM: Approve disbursements in the amount of \$ 102,632.53

SUBMITTED BY: Tom Bouthilet, Finance Director

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<u>Claim #</u>	<u>Amount</u>	<u>Description</u>
ACH	\$ 8,215.36	Payroll Taxes to IRS 09/10/09
ACH	\$ 1,232.83	Payroll Taxes to Mn Dept.of Revenue 09/10/09
DD2375 - DD2411	\$ 23,823.24	Payroll Dated 09/10/2009 (Direct Deposit)
34652 - 34661	\$ 18,870.80	Payroll Dated 09/10/2009 ( Payroll)
34606 - 34651	\$ 50,490.30	Accounts Payable Dated 09/15/2009

**Total: \$ 102,632.53**

SUMMARY AND ACTION REQUESTED: The City Council is being asked to approve disbursements in the total amount of \$102,632.53

# Accounts Payable To Be Paid Proof List

User: Joan Z  
 Printed: 09/09/2009 - 10:52 AM  
 Batch: 002-09-2009

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Ace Hardware, Inc										
ACEHARD	08/31/2009	180.37	0.00	09/15/2009	Ball field lights, locks and Keys			No		0000
80847 81075 883	Repairs/Maint Imp Not Bldgs									
101-450-5200-44030	80847 81075 883 Total:	180.37								
	ACEHARD Total:	180.37								
Ace Hardware, Inc Total:										
		180.37								
Advanced Graphix, Inc.										
ADVGR	08/28/2009	309.94	0.00	09/15/2009	Truck Graphics 09-01			No		0000
180090	Vehicles									
410-480-8000-45500	180090 Total:	309.94								
	ADVGR Total:	309.94								
Advanced Graphix, Inc. Total:										
		309.94								
Alex Air Apparatus, Inc										
ALEXAIR	08/28/2009	2,076.90	0.00	09/15/2009	Annual SCBA inspections			No		0000
16686	Repairs/Maint Eqpt									
101-420-2220-44040	16686 Total:	2,076.90								
	ALEXAIR Total:	2,076.90								
Alex Air Apparatus, Inc Total:										
		2,076.90								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ANCOM COMMUNICATIONS, INC.										
ANCOM										
11048	08/25/2009	31.64	0.00	09/15/2009	Pager Parts					0000
101-420-2220-43230	Radio									No
11048 Total:										
11178	08/31/2009	31.64								0000
101-420-2220-43230	Radio	13.36	0.00	09/15/2009	Pager repair, warranted					No
11178 Total:										
11179	08/31/2009	13.36								0000
101-420-2220-43230	Radio	95.65	0.00	09/15/2009	Pager repair, non warranty					No
11179 Total:										
ANCOM Total:		95.65								No
		140.65								0000
ANCOM COMMUNICATIONS, INC. Total:										
		140.65								
Aramark, Inc.										
ARAM										
629-6809500	08/27/2009	36.26	0.00	09/15/2009	Uniforms					No
101-430-3100-44170	Uniforms									0000
629-6809500 Total:										
629-6811346	08/31/2009	36.26								No
101-410-1940-44010	Repairs/Maint Contractual Bldg	74.40	0.00	09/15/2009	Linen City Hall					No
629-6811346 Total:										
629-6811347	08/31/2009	74.40								0000
101-410-1940-44010	Repairs/Maint Contractual Bldg	26.77	0.00	09/15/2009	Mats-annex					No
629-6811347 Total:										
629-6814311	09/03/2009	26.77								0000
101-430-3100-44010	Repairs/Maint Bldg	36.86	0.00	09/15/2009	Mats					No
629-6814311 Total:										
629-6814312	09/03/2009	36.86								0000
101-430-3100-44170	Uniforms	36.26	0.00	09/15/2009	Uniforms					No
629-6814312 Total:										
ARAM Total:		36.26								No
		210.55								0000
Aramark, Inc. Total:		210.55								
Aspen Equipment Co.										
ASPENQ										
10058503 58401	08/24/2009	590.02	0.00	09/15/2009	Boom truck rental for ROW trimming					No
101-430-3120-43150	Contract Services									0000
10058503 58401 Total:										
		590.02								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ASPENQ Total:		590.02								
Aspen Equipment Co. Total:		590.02								
Aspen Mills, Inc.										
ASPENMI	08/24/2009	83.50	0.00	09/15/2009	Boot, nametag			No		0000
91641	08/24/2009	287.00	0.00	09/15/2009	coveralls, jacket			No		0000
101-420-2220-44170	08/24/2009	370.50	0.00	09/15/2009	collar brass			No		0000
91642	08/24/2009	9.50	0.00	09/15/2009	boots			No		0000
101-420-2220-44170	08/24/2009	69.50	0.00	09/15/2009	boots			No		0000
91643	08/24/2009	69.50	0.00	09/15/2009	boots			No		0000
101-420-2220-44170	08/24/2009	69.50	0.00	09/15/2009	uniform cap			No		0000
91644	08/24/2009	44.50	0.00	09/15/2009	coveralls			No		0000
101-420-2220-44170	08/24/2009	143.00	0.00	09/15/2009	coveralls			No		0000
91752	08/24/2009	71.18	0.00	09/15/2009	boots			No		0000
101-420-2220-45800	08/24/2009	214.18	0.00	09/15/2009	boots			No		0000
91753	08/24/2009	920.68	0.00	09/15/2009	boots			No		0000
101-420-2220-44170	08/24/2009	920.68	0.00	09/15/2009	boots			No		0000
ASPENMI Total:		920.68								
Aspen Mills, Inc. Total:		920.68								
Assessor Division Washington County										
WASHWFC	09/01/2009	200.00	0.00	09/15/2009	County Web Subscription Services			No		0000
101-410-1450-43180	09/01/2009	200.00	0.00	09/15/2009	County Web Subscription Services			No		0000
Information Technology/Web										
09/01/2009 Total:		200.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
WASHWFC Total:		200.00								
Assessor Division Washington County Total:		200.00								
AVENET, LLC										
AVENET										
08/31/2009	08/31/2009	636.00	0.00	09/15/2009	Annual Web Maintenance & Support Svs			No		0000
101-410-1450-43180	Information Technology/Web	636.00								
	08/31/2009 Total:	636.00								
	AVENET Total:	636.00								
	AVENET, LLC Total:	636.00								
Biff's Inc.										
BIFFS										
W388907 W388916	08/26/2009	694.18	0.00	09/15/2009	Portable Restrooms			No		0000
101-450-5200-44120	Rentals - Buildings	694.18								
	W388907 W388916 Total:	694.18								
	BIFFS Total:	694.18								
	Biff's Inc. Total:	694.18								
Boyd Diane										
BOYD										
Chk Req	08/31/2009	1,000.00	0.00	09/15/2009	New House Escrow Return Permit			No		0000
803-000-0000-22900	Deposits Payable	1,000.00			6257					
	Chk Req Total:	1,000.00								
	BOYD Total:	1,000.00								
	Boyd Diane Total:	1,000.00								
CAPRA'S UTILITIES INC.										
CAPRA										
1960	09/03/2009	630.00	0.00	09/15/2009	Water service repair 11277 Laverne			No		0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs	630.00								
	1960 Total:	630.00								
	CAPRA Total:	630.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
CAPRA'S UTILITIES INC. Total:		630.00								
Car Quest Auto Parts										
CARQUEST	08/25/2009	80.85	0.00	09/15/2009	Xsrm filter and door parts for 98-1			No		0000
2055-164970 876	Equipment Parts	80.85								
101-430-3100-42210	2055-164970 876 Total:	80.85								
CARQUEST Total:		80.85								
Car Quest Auto Parts Total:										
Car Quest Auto Parts Total:		80.85								
City of Bloomington										
2056	08/31/2009	60.00	0.00	09/15/2009	Lab Bacteria Tests			No		0000
August 2009	Utility System Maintenance	60.00								
601-494-9400-42270	August 2009 Total:	60.00								
2056 Total:		60.00								
City of Bloomington Total:		60.00								
City of Roseville										
ROSE	09/02/2009	675.00	0.00	09/15/2009	Monthly Acctg Services - August 2009			No		0000
0010113	Contract Services	675.00								
101-410-1520-43150	0010113 Total:	675.00								
ROSE Total:		675.00								
ROSEVILL										
ROSEVILL	09/02/2009	1,551.58	0.00	09/15/2009	Monthly IT services - Sept 2009			No		0000
0010140	Information Technology/Web	1,551.58								
101-410-1450-43180	0010140 Total:	1,551.58								
ROSEVILL Total:		1,551.58								
City of Roseville Total:		2,226.58								
COMCAST										
2241	08/27/2009	7.90	0.00	09/15/2009	monthly service			No		0000
08/27/2009	Miscellaneous	7.90								
101-420-2220-44300										



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	08/27/2009	Total: 7.90								
	2241	Total: 7.90								
		COMCAST Total: 7.90								
Compensation Consultants, Ltd										
1035	09/03/2009									
101-410-1320-44300	Miscellaneous	40.00	0.00	09/15/2009	Monthly Admin Fee - September 2009			No		0000
	1035	Total: 40.00								
		40.00								
Compensation Consultants, Ltd Total: 40.00										
CP Telecom, Corp										
CPTLECO	09/01/2009									
651-207-1000	Telephone	525.11	0.00	09/15/2009	Telephone/Data Serv - City Hall Sept 09			No		0000
101-410-1940-43210	Telephone	525.11								
	651-207-1000	Total: 444.27								
651-207-1701	Telephone	444.27	0.00	09/15/2009	101-430-3100-43210			No		0000
101-430-3100-43210	Telephone	969.38								
	651-207-1701	Total: 969.38								
		CPTLECO Total: 969.38								
CP Telecom, Corp Total: 969.38										
Earl F. Andersen, Inc.										
EARLANDE	08/27/2009									
0088669-IN	Sign Repair Materials	14.00	0.00	09/15/2009	Sign cross bracket			No		0000
101-430-3120-42260	Sign Repair Materials	14.00								
	0088669-IN	Total: 14.00								
	EARLANDE	Total: 14.00								
		Earl F. Andersen, Inc. Total: 14.00								
Eckberg Lamers Briggs Wolff										
2250	08/31/2009									
99187	Legal Services	7,411.87	0.00	09/15/2009	Legal Services - Civill			No		0000
101-410-1320-43040	Legal Services									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
99187	08/31/2009	872.07	0.00	09/15/2009	Legal Services - Development			No		0000
203-490-9070-43040	Legal Services	8,283.94								
	99187 Total:	8,283.94								
	2250 Total:									
Eckberg Lamers Briggs Wolff Total: 8,283.94										
Hagbergs Country Market										
HAGBERGS	08/31/2009	4.99	0.00	09/15/2009	candidate interview supplies	8/18/2009		No		0000
101-410-1320-44300	Miscellaneous	4.99								
	08/31/2009 Total:	4.99								
	HAGBERGS Total:									
Hagbergs Country Market Total: 4.99										
Kern DeWenter Viere Ltd										
KDV	08/28/2009	4,374.00	0.00	09/15/2009	Financial Services August 2009			No		0000
98961	601-494-9400-43150	Contract Services								
	98961 Total:	4,374.00								
	KDV Total:	4,374.00								
Kern DeWenter Viere Ltd Total: 4,374.00										
Kline Motorsports										
2258	08/07/2009	409.74	0.00	09/15/2009	Windshield for Ranger			No		0000
903739	101-420-2220-44040	Repairs/Maint Eqpt								
	903739 Total:	409.74								
	2258 Total:	409.74								
Kline Motorsports Total: 409.74										
L.T.G. Power Equipment										
LITG PWR	09/09/2009	669.56	0.00	09/15/2009	Toro Parts and Repair			No		0000
122778	101-450-5200-44040	Repairs/Maint Eqpt								
	122778 Total:	669.56								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
LTG PWR Total:		669.56								
L.T.G. Power Equipment Total:		669.56								
Lake Elmo Inn LEINN										
9753	09/03/2009	1,500.00	0.00	09/15/2009						No 0000
204-450-5200-44300	Miscellaneous									
9753 Total:		1,500.00								
LEINN Total:		1,500.00								
Lake Elmo Inn Total:		1,500.00								
Lake Elmo Oil, Inc. LEOIL										
11302	08/31/2009	1,328.25	0.00	09/15/2009	Fuel					No 0000
101-430-3120-42120	Fuel, Oil and Fluids									
11302 Total:		1,328.25								
342636 643501	08/31/2009	84.00	0.00	09/15/2009	Fuel					No 0000
101-430-3120-42120	Fuel, Oil and Fluids									
342636 643501 Total:		84.00								
8/31/2009	08/31/2009	637.09	0.00	09/15/2009	Fuel					No 0000
101-420-2220-42120	Fuel, Oil and Fluids									
8/31/2009	08/31/2009	6.76	0.00	09/15/2009	Ice					No 0000
101-420-2220-44300	Miscellaneous									
8/31/2009 Total:		643.85								
LEOIL Total:		2,056.10								
Lake Elmo Oil, Inc. Total:		2,056.10								
League of MN Cities LEAGMN										
133486	09/01/2009	6,754.00	0.00	09/15/2009	Leauge of MN cities annual membership					No 0000
101-410-1110-44330	Dues & Subscriptions									
133486	09/01/2009	20.00	0.00	09/15/2009	MN mayors assoc. annual membership					No 0000
101-410-1110-44330	Dues & Subscriptions									
133486 Total:		6,774.00								
LEAGMN Total:		6,774.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
League of MN Cities Total:		6,774.00								
Loffler Companies, Inc.										
LOFF	09/01/2009	153.58	0.00	09/15/2009	Copy machines coverage & Base August			No		0000
1045584										
101-410-1940-44040	Repairs/Maint Contractual Eqpt	153.58								
	1045584 Total:	153.58								
	LOFF Total:	153.58								
Loffler Companies, Inc. Total: 153.58										
Maroney's Sanitation, Inc										
MARONEYS	09/02/2009	103.66	0.00	09/15/2009	Waste Removal City Hall			No		0000
307858										
101-410-1940-43840	Refuse	45.62	0.00	09/15/2009	Waste Removal Fire			No		0000
307858										
101-420-2220-43840	Refuse	119.96	0.00	09/15/2009	Waste Removal Public Works			No		0000
307858										
101-430-3100-43840	Refuse	357.16	0.00	09/15/2009	Waste Removal Parks			No		0000
307858										
101-450-5200-43840	Refuse	626.40								
	307858 Total:	626.40								
	MARONEYS Total:	626.40								
Maroney's Sanitation, Inc Total: 626.40										
Marv's Professional Tools										
Marv	08/20/2009	17.72	0.00	09/15/2009	Tools			No		0000
217126										
101-430-3100-42400	Small Tools & Minor Equipment	17.72								
	217126 Total:	17.72								
	Marv Total:	17.72								
Marv's Professional Tools Total: 17.72										
Menards - Oakdale										
MENARDSO	08/28/2009	16.53	0.00	09/15/2009	Grade Stakes			No		0000
84149										
101-450-5200-42250	Landscaping Materials									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
84574	09/01/2009	16.53								
101-430-3120-42260	Sign Repair Materials	29.19	0.00	09/15/2009	Road striping paint supplies					0000
84149 Total:		16.53								
84574 Total:		29.19								
MENARDSO Total:		45.72								
Menards - Oakdale Total:		45.72								
Metropolitan Council										
METSAC										
0000908279	09/02/2009	1,068.66	0.00	09/15/2009	Monthly Wastewater Service October 2009					0000
602-495-9450-43820	Sewer Utility - Met Council	1,068.66								
0000908279 Total:		1,068.66								
METSAC Total:		1,068.66								
Metropolitan Council Total:										
1,068.66										
Miller Excavating, Inc.										
MILLEREX										
14301	08/28/2009	387.00	0.00	09/15/2009	Reid Park Gravel					0000
404-480-8000-43300	Improvements Other Than Bldgs	438.82								
14301	08/28/2009	825.82	0.00	09/15/2009	Grading gravel roads and Sweep Sanctuary					0000
101-430-3120-43150	Contract Services	825.82								
14301 Total:		825.82								
MILLEREX Total:		825.82								
Miller Excavating, Inc. Total:										
825.82										
MN Department of Health										
MNDOH										
Qtr 3	09/01/2009	1,405.00	0.00	09/15/2009	3rd Qtr Water Supply Connection Fee					0000
601-494-9400-43820	Water Utility	1,405.00								
Qtr 3 Total:		1,405.00								
MNDOH Total:		1,405.00								
MN Department of Health Total:										
1,405.00										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Newspapers Inc. Lillie Suburban										
Lillie		19.13	0.00	09/15/2009	Resolution Publishing 2009-025			No		0000
09/09/2009	09/09/2009									
101-410-1320-43510	Legal Publishing	14.63	0.00	09/15/2009	Public Hearing Notice - PZ			No		0000
09/09/2009	09/09/2009									
101-410-1910-43040	Legal Services	33.76								
	09/09/2009 Total:	33.76								
	Lillie Total:									
	Newspapers Inc. Lillie Suburban Total:	33.76								
Nicholas Anderson										
ANDERNIC		58.78	0.00	09/15/2009	Cable - budget mtg - 3 hours			No		0000
08/31/2009	08/31/2009									
101-410-1320-43620	Cable Operation Expense	-3.78	0.00	09/15/2009	Tax			No		0000
08/31/2009	08/31/2009									
101-000-0000-20201	Use Tax Payable	55.00								
	08/31/2009 Total:	55.00								
	ANDERNIC Total:									
	Nicholas Anderson Total:	55.00								
Northern Water Works Supply IN										
NORTHWWS		1,743.00	0.00	09/15/2009	Annual Software Maintenance			No		0000
S01213920.001	08/28/2009									
601-494-9400-43180	Software Support	1,743.00								
	S01213920.001 Total:	1,743.00								
	NORTHWWS Total:									
	Northern Water Works Supply IN Total:	1,743.00								
One Call Concepts, Inc Gopher State										
ONECALL		299.90	0.00	09/15/2009	Line Locates - August 2009			No		0000
9080615	08/31/2009									
101-430-3100-43150	Contract Services	299.90								
	9080615 Total:	299.90								
	ONECALL Total:	299.90								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
One Call Concepts, Inc Gopher State Total:		299.90								
Parts Associates Inc.										
PAL										
PAL 0872612	08/20/2009	123.55	0.00	09/15/2009	Rubber undercoating					0000
101-430-3100-42150	Shop Materials									No
PAL 0872612 Total:		123.55								
PAL Total:		123.55								
Parts Associates Inc. Total:										
123.55										
PLANT HEALTH ASSOCIATES, INC										
PLANTH										
972-09	09/08/2009	1,224.00	0.00	09/15/2009	Forester Services - August 2009					0000
101-430-3250-43150	Contract Services									No
972-09	09/08/2009	24.00	0.00	09/15/2009	Forester Services -Development					0000
203-490-9070-43150	Contract Services									No
972-09 Total:		1,248.00								
PLANTH Total:		1,248.00								
PLANT HEALTH ASSOCIATES, INC Total:										
1,248.00										
Plunkett's Pest Control										
PLUNKETT										
1319456	09/01/2009	80.16	0.00	09/15/2009	Pest Control Service - City Hall					0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									No
1319456 Total:		80.16								
PLUNKETT Total:		80.16								
Plunkett's Pest Control Total:										
80.16										
POLLUTION CONTROL AGENCY MINNESOTA										
MNPCAA										
W. Water Cert	09/03/2009	23.00	0.00	09/15/2009	Waste Water License - M. Duddeck					0000
602-495-9450-44370	Conferences & Training									No
W. Water Cert Total:		23.00								
Waste Water Cer	09/03/2009	23.00	0.00	09/15/2009	Renew waste water license - M. Bouthilet					0000
602-495-9450-44370	Conferences & Training									No
Waste Water Cer Total:		23.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	MNPCA Total:	46.00								
	POLLUTION CONTROL AGENCY MINNESOTA	46.00								
POSTMASTER										
POSTOFF	09/01/2009	500.00	0.00	09/15/2009	Postage Bulk Mailings Newsletter			No		0000
1319456	Newsletter/Website	500.00								
101-410-1320-43090	1319456 Total:	500.00								
	POSTOFF Total:	500.00								
	POSTMASTER Total:	500.00								
Press Steven										
PRESS	09/01/2009	62.71	0.00	09/15/2009	Cable CC 9/1/09 Meeting			No		0000
101-410-1320-43620	Cable Operation Expense	-3.83	0.00	09/15/2009	Tax			No		0000
101-000-0000-20201	Use Tax Payable	58.88								
	09/01/2009 Total:	58.88								
	PRESS Total:	58.88								
	Press Steven Total:	58.88								
Rud Diane										
1002	09/15/2009	358.50	0.00	09/15/2009	Cleaning City Hall & Annex			No		0000
8/31 9/2, 8,10	Repairs/Maint Contractual Bldg	240.00	0.00	09/15/2009	Cleaning Fire Hall			No		0000
101-410-1940-44010	Repairs/Maint Bldg	-38.50	0.00	09/15/2009	Tax			No		0000
8/31 9/2, 8,10	Use Tax Payable	560.00								
101-420-2220-44010	8/31 9/2, 8,10 Total:	560.00								
8/31 9/2, 8,10	1002 Total:	560.00								
	Rud Diane Total:	560.00								



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
Sign Contractors SIGN 029129 204-450-5200-44300 Miscellaneous 029129 Total: SIGN Total:	09/01/2009	688.80	0.00	09/15/2009	Banners for Fall Festival		-	No		0000
Sign Contractors Total:		688.80								
Stillwater Motors STILLMOT 55,037 101-430-3100-42210 Equipment Parts 55,037 Total: STILLMOT Total:	08/25/2009	96.92	0.00	09/15/2009	Lock Assembly 98-1		-	No		0000
Stillwater Motors Total:		96.92								
Stillwater Towing Inc STILLTOW 117632 101-420-2220-44040 Repairs/Maint Eqpt 117632 Total: STILLTOW Total:	08/07/2009	214.25	0.00	09/15/2009	towing chg for E-2 (3183) fr A Inn to #2		-	No		0000
Stillwater Towing Inc Total:		214.25								
T.A. Schifsky & Sons Inc TASCH 47721 101-430-3120-42240 Street Maintenance Materials 47721 Total: TASCH Total:	08/18/2009	237.79	0.00	09/15/2009	Asphalt		-	No		0000
T.A. Schifsky & Sons Inc Total:		237.79								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
TRI STATE PUMP & CONTROL INC.										
TRI-P	08/24/2009	293.31	0.00	09/15/2009	Lift Station Floats		-	No		0000
29391	08/24/2009	293.31								
602-495-9450-44030	Repairs\Maint Imp Not Bldgs									
	29391 Total:	293.31								
	TRI-P Total:	293.31								
TRI STATE PUMP & CONTROL INC. Total: 293.31										
University of Minnesota										
U of M	09/06/2009	60.00	0.00	09/15/2009	Bioretention Routine Maint Workshop		-	No		0000
Storm Water Cla	603-496-9500-44370	60.00								
	Conferences & Training									
	Storm Water Cla Total:	60.00								
	U of M Total:	60.00								
University of Minnesota Total: 60.00										
VISA										
VISALE40	08/28/2009	634.86	0.00	09/15/2009	Training/License 2 public works employee		-	No		0000
8040	08/28/2009	634.86								
602-495-9450-44300	Miscellaneous Expenses									
	8040 Total:	634.86								
	VISALE40 Total:	634.86								
VISA Total: 634.86										
Xcel Energy										
XCEL	09/09/2009	241.15	0.00	09/15/2009	Lights at Legion Park		-	No		0000
51-4504807-7	09/09/2009	241.15								
101-450-5200-43810	Electric Utility									
51-4504807-7	09/09/2009	72.55	0.00	09/15/2009	Lift Station		-	No		0000
602-495-9450-43810	Electric Utility									
51-4504807-7	09/09/2009	30.88	0.00	09/15/2009	Traffic Lights		-	No		0000
101-430-3160-43810	Street Lighting									
	51-4504807-7 Total:	344.58								
51-4572945-7	09/24/2009	27.92	0.00	09/15/2009	Electric/Street Lights		-	No		0000
101-430-3160-43810	Street Lighting									
	51-4572945-7 Total:	27.92								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
51-4576456-3	09/24/2009	342.67	0.00	09/15/2009	Electric/Fire station 2		-		No	0000
101-420-2220-43810	Electric Utility									
	51-4576456-3 Total:	342.67								
51-4580376-5	09/24/2009	487.95	0.00	09/15/2009	Electric/City Hall		-		No	0000
101-410-1940-43810	Electric Utility									
51-4580376-5	09/24/2009	28.49	0.00	09/15/2009	Electric/Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	51-4580376-5 Total:	516.44								
51-4733556-8	09/24/2009	9.50	0.00	09/15/2009	Electric/Tennis Courts		-		No	0000
101-450-5200-43810	Electric Utility									
	51-4733556-8 Total:	9.50								
51-5044219-0	09/24/2009	40.59	0.00	09/15/2009	Electric/Parks Bldg		-		No	0000
101-450-5200-43810	Electric Utility									
	51-5044219-0 Total:	40.59								
51-5275289-3	09/24/2009	22.40	0.00	09/15/2009	Electric/Pebble Park		-		No	0000
101-450-5200-43810	Electric Utility									
	51-5275289-3 Total:	22.40								
51-5522332-2	09/24/2009	38.55	0.00	09/15/2009	Electric/Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	51-5522332-2 Total:	38.55								
51-5747685-4	09/24/2009	107.24	0.00	09/15/2009	Electric/Arts Center		-		No	0000
101-450-5200-43810	Electric Utility									
	51-5747685-4 Total:	107.24								
51-5916043-7	09/24/2009	16.98	0.00	09/15/2009	Electric/lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
	51-5916043-7 Total:	16.98								
51-6433976-2	09/24/2009	313.39	0.00	09/15/2009	Electric/Fire Station 1		-		No	0000
101-420-2220-43810	Electric Utility									
	51-6433976-2 Total:	313.39								
51-6625457-1	09/24/2009	58.22	0.00	09/15/2009	Electric/Legion Park		-		No	0000
101-450-5200-43810	Electric Utility									
	51-6625457-1 Total:	58.22								
51-6736544-2	09/09/2009	1,849.43	0.00	09/15/2009	Street Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	51-6736544-2 Total:	1,849.43								
51-6736544-2	09/24/2009	9.30	0.00	09/15/2009	Electric/Street Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	51-6736544-2 Total:	9.30								
51-6928283-3	09/24/2009	1,858.73	0.00	09/15/2009	Electric/Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	51-6928283-3 Total:	1,858.73								
51-6956201-4	09/24/2009	29.43	0.00	09/15/2009	Electric/VFW Ballfield Lts		-		No	0000
101-450-5200-43810	Electric Utility									
	51-6956201-4 Total:	29.43								
51-7538112-1	09/24/2009	61.26	0.00	09/15/2009	Electric/Public Works		-		No	0000
101-430-3100-43810	Electric Utility									
	51-7538112-1 Total:	61.26								
51-7538112-1	09/24/2009	477.84	0.00	09/15/2009	Electric/Public Works		-		No	0000
101-430-3100-43810	Electric Utility									
	51-7538112-1 Total:	477.84								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	51-7538112-1 Total:	477.84								
51-7988278-3	09/24/2009	15.04	0.00	09/15/2009	Electric/City Hall Annex		-			No 0000
101-410-1940-43810	Electric Utility									
	51-7988278-3 Total:	15.04								
51-8126093-5	09/24/2009	21.59	0.00	09/15/2009	Electric/Water Tower 2		-			No 0000
601-494-9400-43810	Electric Utility									
	51-8126093-5 Total:	21.59								
51-8711719-3	09/24/2009	10.52	0.00	09/15/2009	Electric/Speed sign Hwy 5		-			No 0000
101-430-3160-43810	Street Lighting									
	51-8711719-3 Total:	10.52								
	XCEL Total:	4,312.89								
	Xcel Energy Total:	4,312.89								
	Report Total:	50,490.30								

City Council  
Date: September 15, 2009  
CONSENT  
Item: Motion

ITEM: 2009 Street Improvements Payment Certificate No. 1  
SUBMITTED BY: Ryan Stempski, Assistant City Engineer  
REVIEWED BY: Craig Dawson, Interim City Administrator  
Tom Bouthilet, Finance Director  
Jack Griffin, City Engineer

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**SUMMARY AND ACTION REQUESTED:** The City Council is being asked to approve partial payment to Tower Asphalt, Inc., the Contractor for the 2009 Street Improvements project. Tower Asphalt, Inc. has submitted Partial Payment Certificate No. 1 in the amount of \$42,721.50. This request has been reviewed and payment is recommended in the amount requested.

**ADDITIONAL INFORMATION**

5% of the work completed for Partial Payment Certificate No. 1 has been retained amount of \$2,248.50 in accordance with the Contract documents.

**SUGGESTED MOTION FOR CONSIDERATION**

*Payment is authorized in the amount of \$42,721.50 to be paid from the Project Fund for the 2009 Street Improvements project.*

**ATTACHMENTS**

1. Payment Certificate No. 1 for the 2009 Street Improvements project

# TKDA

ENGINEERING • ARCHITECTURE • PLANNING

The right time. The right people. The right company.

444 Cedar Street, Suite 1500  
Saint Paul, MN 55101-2140

(651) 292-4400  
(651) 292-0083 Fax  
www.tkda.com

Proj. No. 14353.001 Cert. No. 1 St. Paul, MN, September 9, 2009  
 To City of Lake Elmo, Minnesota Owner  
 This Certifies that Tower Asphalt, Contractor  
 For 2009 Street Improvements  
 Is entitled to Forty-Two Thousand Seven Hundred Twenty-One Dollars and 50/100 ----- (\$ 42,721.50)  
 being 1st estimate for partial payment on contract with you dated July 7, 2009  
 Received payment in full of above Certificate.

**TKDA**

  
 Ryan W. Stempski, P.E.

Tower Asphalt  
, 2009

### RECAPITULATION OF ACCOUNT

	CONTRACT PLUS EXTRAS	PAYMENTS	CREDITS
Contract price plus extras	\$ 417,811.50		
All previous payments		\$ -	
All previous credits			
Extra No.			
" "			
" "			
" "			
Credit No.			\$ -
" "			
" "			
" "			
AMOUNT OF THIS CERTIFICATE		\$ 42,721.50	
Totals	\$ 417,811.50	\$ 42,721.50	\$ -
Credit Balance		\$ -	
There will remain unpaid on contract after payment of this Certificate		\$ 375,090.00	
	\$ 417,811.50	\$ 417,811.50	\$ -

TKDA  
Engineering-Architecture-Planning

**PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS**

Estimate No. 1 Period Ending September 9, 20 09 Page 1 of 1 Proj. No. 14353.001  
Contractor Tower Asphalt Original Contract Amount \$ 417,811.50  
Project 2009 Street Improvements  
Location City of Lake Elmo, Minnesota

Total Contract Work Completed \$ 44,970.00  
Total Approved Credits \$ 0.00  
Total Approved Extra Work Completed \$ 0.00  
Approved Extra Orders Amount Completed \$ 0.00  
Total Amount Earned This Estimate \$ 44,970.00

Less Approved Credits \$ 0.00  
Less 5 % Retained \$ 2,248.50  
Less Previous Payments \$ 0.00  
Total Deductions \$ 2,248.50  
Amount Due This Estimate \$ 42,721.50

Contractor Tower Asphalt

Date \_\_\_\_\_

Engineer 

Date 9-9-2009

Ryan W. Stempski, P.E.

## ESTIMATE NO. 1

PERIOD ENDING: September 9, 2009

2009 STREET IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
TKDA PROJECT NO. 14353.001

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE
<b>EDEN PARK DEVELOPMENT</b>						
1	MOBILIZATION	LS	1	1.0	\$ 1,000.00	\$ 1,000.00
2	TRAFFIC CONTROL	LS	1	1.0	\$ 500.00	\$ 500.00
3	SILT FENCE	LF	30	-	\$ 2.50	\$ -
4	INLET PROTECTION	EA	9	9.0	\$ 100.00	\$ 900.00
5	SAWCUT PAVEMENT (ALL TYPES)	LF	208	-	\$ 2.00	\$ -
6	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT (DRIVEWAY)	SY	50	-	\$ 5.00	\$ -
7	REMOVE & DISPOSE OF EXIST. STORM SEWER (ALL TYPES & SIZES)	LF	16	-	\$ 20.00	\$ -
8	SUBGRADE CORRECTION	SY	26	-	\$ 10.00	\$ -
9	LOAD & HAUL RECLAIMED MATERIAL (LV) (P)	CY	459	36.0	\$ 6.00	\$ 216.00
10	RECLAIM EX. BIT. AND BASE MATERIALS, 8-INCH DEPTH	SY	14268	14,268.0	\$ 1.50	\$ 21,402.00
11	SUBGRADE PREPARATION OF RECLAIMED SURFACE	RS	39	-	\$ 100.00	\$ -
12	2360 TYPE LV 3 BITUMINOUS NON-WEARING COURSE	TN	1275	-	\$ 51.65	\$ -
13	2360 TYPE LV 4 BITUMINOUS WEARING COURSE	TN	1275	-	\$ 54.10	\$ -
14	BITUMINOUS MATERIAL FOR TACK COAT	GAL	713	-	\$ 1.50	\$ -
15	2"- 2360 TYPE LV 4 BITUMINOUS WEARING COURSE, DRIVE	SY	50	-	\$ 15.00	\$ -
16	SAW & SEAL STREET (40' INTERVALS)	LF	3009	-	\$ 1.55	\$ -
17	ADJUST MANHOLE CASTING	EA	2	-	\$ 400.00	\$ -
18	D412 CONCRETE CURB & GUTTER	LF	15	-	\$ 70.00	\$ -
19	REPAIR AND ADJUST CATCH BASIN	EA	9	-	\$ 1,000.00	\$ -
20	12" RCP FES WITH TRASH GUARD	EA	1	-	\$ 900.00	\$ -
21	CL 3 RIPRAP W/ GEOTEXTILE FILTER FABRIC	CY	3	-	\$ 100.00	\$ -
22	SEEDING, FERTILIZER AND WOOD FIBER BLANKET	SY	25	-	\$ 15.00	\$ -
<b>SUBTOTAL - EDEN PARK DEVELOPMENT</b>						<b>\$ 24,018.00</b>
<b>EDEN PARK 2ND ADDITION</b>						
1	MOBILIZATION	LS	1	-	\$ 1,000.00	\$ -
2	TRAFFIC CONTROL	LS	1	-	\$ 500.00	\$ -
3	SILT FENCE	LF	325	-	\$ 2.50	\$ -
4	INLET PROTECTION	EA	2	-	\$ 100.00	\$ -
5	SAWCUT PAVEMENT (ALL TYPES)	LF	118	-	\$ 2.00	\$ -
6	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT (DRIVEWAY)	SY	25	-	\$ 5.00	\$ -
7	SUBGRADE CORRECTION	SY	1662	-	\$ 2.75	\$ -
8	LOAD & HAUL RECLAIMED MATERIAL (LV) (P)	CY	216	-	\$ 6.00	\$ -
9	RECLAIM EX. BIT. AND BASE MATERIALS, 8-INCH DEPTH	SY	2822	-	\$ 1.50	\$ -
10	SUBGRADE PREPARATION OF RECLAIMED SURFACE	RS	6	-	\$ 100.00	\$ -
11	2360 TYPE LV 3 BITUMINOUS NON-WEARING COURSE	TN	252	-	\$ 51.65	\$ -
12	2360 TYPE LV 4 BITUMINOUS WEARING COURSE, STREETS (INCL. 4" BIT CURB)	TN	266	-	\$ 54.10	\$ -
13	BITUMINOUS MATERIAL FOR TACK COAT	GAL	141	-	\$ 1.50	\$ -
14	2"- 2360 TYPE LV 4 BITUMINOUS WEARING COURSE, DRIVE	SY	25	-	\$ 15.00	\$ -
15	SAW & SEAL STREET (40' INTERVALS)	LF	476	-	\$ 1.55	\$ -
16	REPAIR AND ADJUST CATCH BASIN	EA	2	-	\$ 1,400.00	\$ -
17	SAWCUT CATCH BASIN	EA	1	-	\$ 200.00	\$ -
18	SODDING	SY	244	-	\$ 3.00	\$ -
<b>SUBTOTAL - EDEN PARK 2ND ADDITION</b>						<b>\$ -</b>



ESTIMATE NO. 1

PERIOD ENDING: September 9, 2009

2009 STREET IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
TKDA PROJECT NO. 14353.001

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE
<b><u>THE FOREST DEVELOPMENT</u></b>						
1	MOBILIZATION	LS	1	-	\$ 500.00	\$ -
2	TRAFFIC CONTROL	LS	1	-	\$ 500.00	\$ -
3	SILT FENCE	LF	90	-	\$ 2.50	\$ -
4	INLET PROTECTION	EA	3	-	\$ 100.00	\$ -
5	SAWCUT PAVEMENT (ALL TYPES)	LF	130	-	\$ 2.00	\$ -
6	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT (DRIVEWAY)	SY	25	-	\$ 5.00	\$ -
7	SUBGRADE CORRECTION	SY	1175	-	\$ 2.75	\$ -
8	LOAD & HAUL RECLAIMED MATERIAL (LV) (P)	CY	318	-	\$ 6.00	\$ -
9	RECLAIM EX. BIT. AND BASE MATERIALS, 8-INCH DEPTH	SY	5977	-	\$ 1.50	\$ -
10	SUBGRADE PREPARATION OF RECLAIMED SURFACE	RS	17	-	\$ 100.00	\$ -
11	2360 TYPE LV 3 BITUMINOUS NON-WEARING COURSE	TN	534	-	\$ 52.65	\$ -
12	2360 TYPE LV 4 BITUMINOUS WEARING COURSE, STREETS (INCL. 6" BIT CURB)	TN	538	-	\$ 54.10	\$ -
13	BITUMINOUS MATERIAL FOR TACK COAT	GAL	299	-	\$ 1.50	\$ -
14	2"- 2360 TYPE LV 4 BITUMINOUS WEARING COURSE, DRIVE	SY	25	-	\$ 15.00	\$ -
15	SAW & SEAL STREET (40' INTERVALS)	LF	1506	-	\$ 1.55	\$ -
16	D412 CONCRETE CURB & GUTTER	LF	179	-	\$ 25.00	\$ -
17	REPAIR AND ADJUST CATCH BASIN	EA	3	-	\$ 1,000.00	\$ -
18	SODDING	SY	90	-	\$ 3.00	\$ -
<b>SUBTOTAL - EDEN PARK 2ND ADDITION</b>						\$ -
<b><u>MYRON ELLMAN SUBDIVISION</u></b>						
1	MOBILIZATION	LS	1	-	\$ 1,000.00	\$ -
2	TRAFFIC CONTROL	LS	1	-	\$ 500.00	\$ -
3	SILT FENCE	LF	85	-	\$ 2.50	\$ -
4	SALVAGE & REINSTALL SIGN	EA	2	-	\$ 150.00	\$ -
5	SAWCUT PAVEMENT (ALL TYPES)	LF	181	-	\$ 2.00	\$ -
6	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT (DRIVEWAY)	SY	65	-	\$ 5.00	\$ -
7	REMOVE & DISPOSE OF EXIST. CONCRETE PAVEMENT (DRIVEWAY)	SY	22	-	\$ 10.00	\$ -
8	SUBGRADE CORRECTION	SY	1300	-	\$ 2.75	\$ -
9	LOAD & HAUL RECLAIMED MATERIAL (LV) (P)	CY	358	-	\$ 6.00	\$ -
10	RECLAIM EX. BIT. AND BASE MATERIALS, 8-INCH DEPTH	SY	3498	-	\$ 1.50	\$ -
11	SUBGRADE PREPARATION OF RECLAIMED SURFACE	RS	13	-	\$ 100.00	\$ -
12	2360 TYPE LV 3 BITUMINOUS NON-WEARING COURSE	TN	313	-	\$ 52.65	\$ -
13	2360 TYPE LV 4 BITUMINOUS WEARING COURSE	TN	313	-	\$ 54.10	\$ -
14	BITUMINOUS MATERIAL FOR TACK COAT	GAL	175	-	\$ 1.50	\$ -
15	2"- 2360 TYPE LV 4 BITUMINOUS WEARING COURSE, DRIVE	SY	65	-	\$ 15.00	\$ -
16	6" CONCRETE DRIVE	SY	22	-	\$ 80.00	\$ -
17	SAW & SEAL STREET (40' INTERVALS)	LF	766	-	\$ 1.55	\$ -
18	ADJUST EXISTING GATE VALVE BOX	EA	2.0	-	\$ 200.00	\$ -
19	ADJUST CURB STOP	EA	1.0	-	\$ 200.00	\$ -
20	SODDING	SY	259.0	-	\$ 3.00	\$ -
<b>SUBTOTAL - MYRON ELLMAN SUBDIVISION</b>						\$ -

ESTIMATE NO. 1

PERIOD ENDING: September 9, 2009

2009 STREET IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
TKDA PROJECT NO. 14353.001

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE
<b><u>TABLYN PARK ENTRANCE ROAD AND PARKING LOT</u></b>						
1	MOBILIZATION	LS	1	1.0	\$ 3,500.00	\$ 3,500.00
2	TRAFFIC CONTROL	LS	1	1.0	\$ 500.00	\$ 500.00
3	SILT FENCE	LF	790	690.0	\$ 2.00	\$ 1,380.00
4	SAWCUT PAVEMENT (ALL TYPES)	LF	85	-	\$ 2.00	\$ -
5	REMOVE & DISPOSE OF EXIST. PAVEMENT	SY	1862	1,862.0	\$ 2.00	\$ 3,724.00
6	SUBGRADE CORRECTION	SY	289	-	\$ 3.00	\$ -
7	COMMON EXCAVATION	CY	640	640.0	\$ 3.00	\$ 1,920.00
8	SUBGRADE PREPARATION	RS	5	-	\$ 100.00	\$ -
9	PLACE & COMPACT RECLAIMED MATERIAL (FROM OTHER SITES)	CY	697	27.0	\$ 4.00	\$ 108.00
10	2360 TYPE LV 3 BITUMINOUS NON-WEARING COURSE	TN	156	-	\$ 52.65	\$ -
11	2360 TYPE LV 4 BITUMINOUS WEARING COURSE, STREETS (INCL. 4" BIT CURB)	TN	183	-	\$ 54.10	\$ -
12	BITUMINOUS MATERIAL FOR TACK COAT	GAL	87	-	\$ 1.50	\$ -
13	SAW & SEAL STREET (40' INTERVALS)	LF	388	-	\$ 1.55	\$ -
14	15" RCP CL. 5 STORM SEWER PIPE	LF	49	44.0	\$ 25.00	\$ 1,100.00
15	15" RCP FES WITH TRASH GUARD	EA	1	1.0	\$ 970.00	\$ 970.00
16	48" DIAMETER MANHOLE, TYPE 406S (0'-10' DEPTH)	EA	2	2.0	\$ 2,750.00	\$ 5,500.00
17	CATCH BASIN, TYPE 404	EA	1	1.0	\$ 2,250.00	\$ 2,250.00
18	CL. 3 RIPRAP W/ GEOTEXTILE FILTER FABRIC	CY	3	-	\$ 100.00	\$ -
19	SEEDING, FERTILIZER AND WOOD FIBER BLANKET	SY	35	-	\$ 3.00	\$ -
20	SODDING	SY	504	-	\$ 3.00	\$ -
<b>SUBTOTAL - TABLYN PARK ENTRANCE ROAD AND PARKING LOT</b>						<b>\$ 20,952.00</b>
<b>TOTAL ESTIMATE NO. 1</b>						<b>\$ 44,970.00</b>

City Council  
Date: 9/15/09  
Regular  
Item: J-6

ITEM: Consider a request to amend the landscape plan for St. Croix's Sanctuary subdivision.

SUBMITTED BY: Kyle Klatt, Planning Director



REVIEWED BY: Craig Dawson, Interim City Administrator  
Kelli Matzek, City Planner

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#### SUMMARY AND ACTION REQUESTED

The City Council is being asked to consider a proposed amendment to the approved landscape plan for the St. Croix's Sanctuary development. This action would require a modification to the OP – Open Space Preservation District requirements which must be approved by a 4/5ths vote of the City Council because it would substantially reduce the number of boulevard trees below the minimum threshold required in the ordinance.

Please see the attached report to the Planning Commission and supporting documentation for a full description of this request and the recommendation that has been made by City Staff.

Due to the unusual schedule this month that has placed the Planning Commission meeting the day before the second Council meeting of the month, this item is being forwarded to the Council without a written report documenting the Commission's action. The Planning Commission recommendation and any other supporting information that comes out of this meeting will be presented to the Council at its September 15, 2009 meeting. City Council action on this request in September will allow the City to proceed with the implementation of this plan (if approved) yet this fall.

#### ADDITIONAL INFORMATION:

- See all attached materials that have been submitted to and reviewed by the Planning Commission.

#### RECOMMENDATION:

Please refer to the recommendation contained in the Staff report to the Planning Commission.

#### ORDER OF BUSINESS:

- Introduction ..... Craig Dawson, City Administrator
- Report by staff and project consultant ..... Kyle Klatt, Planner
- Questions from the Council ..... Mayor & Council Members
- Questions/Comments from the applicant..... Mayor facilitates
- Questions/Comments from the public..... Mayor facilitates
- Call for a Motion

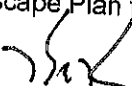
(required for further discussion; does not

- imply approval of the motion.....Mayor facilitates
- Discussion .....Mayor facilitates
- Action on motion .....Council

**ATTACHMENTS:**

1. Planning Commission Report and Attachments

Planning Commission  
Date: 9/14/09  
**St. Croix's Sanctuary Landscape Plan**  
Business Item  
Item: 5a

ITEM: Request to Amend the Landscape Plan for the Croix's Sanctuary OP Development  
SUBMITTED BY: Kyle Klatt, Planning Director   
REVIEWED BY: Kelli Matzek, City Planner  
Craig Dawson, Interim City Administrator

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**SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to consider a proposed amendment to the approved landscape plan for the St. Croix's Sanctuary development. This action would require a modification to the OP – Open Space Preservation District requirements which must be approved by a 4/5ths vote of the City Council because it would substantially reduce the number of boulevard trees below the minimum threshold required in the ordinance. Staff is recommending approval of the change for a number of reasons, including the strong desire of the current residents within the subdivision to move away from a more urban, boulevard planting plan and towards the preservation and restoration of natural landscapes within the development area.

Stephen Mastey of Landscape Architecture, Inc. will be in attendance at the Planning Commission meeting to more thoroughly review the proposed landscape plan and the rationale for the land management approach that is being recommended.

**BACKGROUND:**

The St. Croix's Sanctuary OP (Open Space Preservation) development was approved by the City of Lake Elmo in late 2005, and was subject to a developer's agreement approved a short time later that required certain improvements to be completed by the developer, including the construction of roads, water services, sanitary sewer laterals, landscaping and other improvements. The landscape plan was approved by the City at the preliminary platting stage and met the City's requirement for tree plantings in OP Open Space Preservation districts which is stated as follows in Section 150.180 of the City Code:

*Boulevard landscaping.* Boulevard landscaping is required along all streets to consist of at least 1 tree per every 30 feet or placed in dusters at the same ratio. A landscape plan for the entire site is required and shall consist of at least 10 trees per building site; and trees shall not be not less than 1.5 inch in caliper measured at 54 inches above grade level.

The plan approved by the City calls for 590 total trees to be planted throughout the development, with 367 being planted within the boulevard and 223 being planted on private property (including outlots and open space areas). By the time the City was working with the developer to close out the project in the fall of 2008, several of the lots had been built upon with new residents occupying many of these homes. During the staking that was done in preparation for the planting of new trees, these residents became quite concerned that the landscaping plan did not reflect the character of the area. The Homeowner's

Association (HOA) at this time stated its desire to work with the developer to propose a revised concept for landscaping within the project area.

Unfortunately, the developer ultimately did not adhere to his obligations under the developer's agreement with the City, and the City was forced to declare the developer to be in default of the agreement earlier this year. The end result of this action is that the City was able to collect on the outstanding financial guarantee for the project and has been working to complete all outstanding improvements using these funds. The amount of money available was limited; however, and needed to cover things like road improvements, utility corrections, grading alterations, in addition to the outstanding landscape work.

## **REVISED PLAN**

Given the circumstances surrounding this development, including the failure of the developer to complete all required components of the developer's agreement and his general objections to the approved landscape plan, the members of the Sanctuary HOA decided to hire the developer's landscape architect to develop a revised landscape plan for the subdivision. City Staff has met several times with the residents and the landscape architect to work towards a solution that will satisfy all affected parties, with the intent of bringing a revised plan back to the City Council for official action. The objectives of the revised plan include the following:

- To respect the residents desire for a more open, prairie feel throughout the development rather than the proposed urban design that would place a high density of trees along boulevard areas.
- To make the best possible use of the limited funds available once all important infrastructure corrections have been made.
- To develop a framework for ongoing maintenance and preservation of the natural landscape that can be augmented as future funding might become available.
- To allow the City to move closer towards final acceptance of the Sanctuary improvements without further impacting the residents that current live in this subdivision.

The plan that has been prepared by Landscape Architecture, Inc. is substantially different than the one approved by the City with the preliminary plat. Most notably, there are only nine larger trees to be planted within the common areas, with the bulk of the proposed improvements taking the form of weed treatment, buckthorn and invasive species removal, seeding of prairie and transition areas, and other restoration work. This plan has been reviewed by the City Forester, and in her attached report, she states her approval of the proposed management plan. The landscape architect for the project will be in attendance at the meeting to more fully describe the features of the revised landscape and natural area management plan.

The plans that have been submitted to the City do not include the landscaping that has been performed to date on the private lots that have been developed, which in some cases, is fairly substantial. Also, the developer did complete a portion of the approved plan at the entrance to the subdivision, and therefore, has previously planted 40 trees at the entrance to the development. Furthermore, the covenants associated with this development require each new home builder to plant at least two trees on lots with new homes, which will result a minimum of 76 trees being planted in the future.

Staff is recommending that the Planning Commission recommend approval of the revised landscape plan for the St. Croix's Sanctuary subdivision, and specifically is recommending this action because the proposed plan will help accomplish the objectives outlined above. This recommendation includes the approval of a waiver from the OP District requirements to permit a plan that does not meet the number of trees otherwise required to be planted under this ordinance. Staff further recommends that this approval be contingent on the following:

- Adherence to all recommendations of the City Forester as documented in a report to the City dated September 8, 2009.
- That two trees per new building site be provided near the public boulevard and clustered along lot lines prior to the issuance of a certificate of occupancy for new homes on all undeveloped lots.

**ADDITIONAL INFORMATION:**

- The original landscape plan is attached for review by the Planning Commission. This is the plan that will be replaced should the City approve the revised landscape proposal.
- As noted above, this action will require a 4/5ths vote of the City Council since it would authorize a waiver of the OP District provisions related to landscaping.

**RECOMMENDATION:**

Staff recommends that the Planning Commission recommend approval of the revised landscape plan for the St. Croix's Sanctuary development subject to the following conditions:

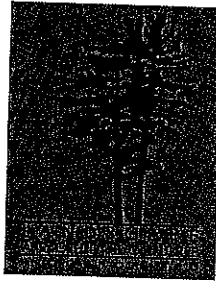
- The implementation of the plan shall adhere to all recommendations from the City Forester as documented in a report to the City dated September 8, 2009.
- Two trees per new building site shall be provided near the public boulevard and clustered along lot lines prior to the issuance of a certificate of occupancy for new homes on all undeveloped lots as of September 15, 2009.

**ATTACHMENTS:**

1. Letter from Landscape Architect
2. Proposed Landscape Plan
3. Restoration and Installation Plan
4. Plant Selections
5. Site Condition Plan
6. Landscape Classification System for Sanctuary
7. Report from City Forester
8. Existing Landscape Plan

**ORDER OF BUSINESS:**

- Introduction..... Kyle Klatt, Planning Director
- Presentation by staff..... Kyle Klatt, Planning Director
- Presentation by Landscape Architect... Stephen Mastey, Landscape Architecture, Inc.
- Questions from the Commission ..... Chair & Commission Members
- Call for a motion ..... Chair Facilitates
- Discussion of Commission on the motion ..... Chair Facilitates
- Action by the Planning Commission..... Chair & Commission Members



August 31<sup>st</sup>, 2009

City of Lake Elmo  
**Kyle Klatt**  
**Planning Director**  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

**RE: SANCTUARY LANDSCAPE PLAN**

Dear Kyle,

We have attached 20 Copies of the proposed landscape plan package for you to share with the Planning Commission & City Council Members. Based off of the \$30,000 to \$35,000 range that was provided by you and your staff last week for this purpose, we have created a proposed landscape plan that is proposed at \$33,767.50 as described in detail in the Proposal for Installation Services attached.

We will plan to present this concept at the September 14<sup>th</sup>, 2009 Planning Commission Meeting and the September 15<sup>th</sup>, 2009 City Council Meeting with representatives from the HOA present to show support for this plan and to entertain questions.

If you need additional landscape plan packages please let me know as we would be happy to provide these in color to clearly convey our design intent to all stakeholders in this process.

SINCERELY,

**LANDSCAPE ARCHITECTURE, INC.**

STEPHEN MASTEY, ASLA, CLARB, LEED AP  
DIRECTOR OF DESIGN

cc: Carolyn Cary, Sanctuary HOA  
cc: Karen Kill, Browns Creek Watershed District  
cc: Ryan Stempski, City of Lake Elmo  
cc: Craig Dawson, City of Lake Elmo  
cc: Kathy Widin, City of Lake Elmo

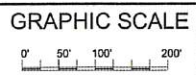




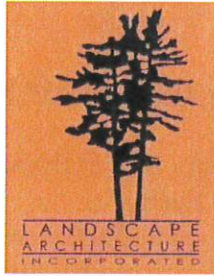
GRAPHIC CORRESPONDING WITH LANDSCAPE PROPOSAL

**LANDSCAPE PLAN KEY**

- WEED TREATMENT AREAS
- BUCKTHORN TREATMENT AREAS
- TRANSITION SEED MIX AREAS
- G1/F1 SEED MIX AREAS
- PROPOSED TREES
- POND TO RECEIVE SILT FENCE







8.30.09

## Proposal for Installation Services

Sanctuary of Lake Elmo HOA  
P.O. Box 832  
Lake Elmo, MN 55042

### ***RESTORATION OF PRAIRIE AND OAK SAVANNA PLANT COMMUNITIES AT SANCTUARY IN LAKE ELMO, MN***

Sanctuary is part of the Anoka Sand Plain Ecoregion, a landscape known for its mosaic of tallgrass prairie and deciduous forest. The current landscape cover is a mosaic of grassland, woodland, and wetland habitats. Non-native plants are dominant across each habitat type. For example, the grasslands are generally dominated by non-native grasses introduced from Europe. Areas dominated by non-native plant species, generally, have less wildlife (butterflies, birds, amphibians, etc.) and lower soil and water quality. The long-term and collective goal is to restore the land at Sanctuary to native prairies, woodlands, and wetlands.

#### ***Prairie Establishment:***

We would propose to prepare the seed bed, control erosion, supply & install the seed to establish the native dry upland prairie (see attached quote and map). A single dry upland species (Blue grama) would be established along the roads and paths. The majority of area would be seeded to our dry upland seed mix (G1/F1, xeric) which contains 27 species of native wildflowers and seven species of grasses. Our seed (see attached list) primarily originates from local sources in the Anoka Sand Plain and neighboring ecoregions, ensuring that these species are naturally adapted to the soil and climate of this region.

#### ***Buckthorn Control:***

Buckthorn is a noxious shrub that has invaded the majority of oak savanna and deciduous forest areas of Sanctuary. The first step to restoring these areas is to remove the mature buckthorn and chemically treat the stumps. We have identified four areas (3.31 acres total) that contain the highest densities of buckthorn within large, old growth oak and other native tree stands. We propose the removal of the buckthorn and other noxious shrubs in these areas.

To furnish and install the following Trees via 85" Machine move Tree Spade

6 Autumn Blaze Maple @ 6 inch caliper ( \$1,500 Each ) \$9,000  
 3 Oak Bur @ 5.5 inch caliper ( \$1,500 Each ) \$4,500  
**Includes: one year plant warranty, Fall 2009: 3 waterings, hardwood shredded bark mulching & Tree Protection ( hardware cloth), Summer 2010: 5 waterings & one slow release fertilizer application.**

**Total Proposed Tree Installation Fees \$13,500**

Erosion Control and Permit fees from Browns Creek Watershed District

Permit Fee ( \$1,250 ) \$1,250  
 400 linear feet of Silt Fence @ \$5 a linear foot ( SE corner of area 12 ) \$2,000  
**Includes: Silt fence removal and disposal upon approval by watershed district.**

**Total Proposed Erosion Control Measures and Permit Fees \$3,250**

Removing Buckthorn from 2.78 acres of Oak Savanna and Deciduous Forest

Item	Units	Qty	Unit Price	Total Price
<b>Area 5</b>				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	0.19	\$1,950.00	\$370.50
<b>Area 21</b>				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	2.59	\$1,950.00	\$5,050.50
<b>Area 45</b>				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	.40	\$1,950.00	\$780
<b>Area Adjacent to Manning Avenue at Entry ( West Side of Street )</b>				
One-time cutting, chemical treatment, and chipping (where necessary) of Buckthorn and other noxious shrubs.	acre	.13	\$1,950.00	\$253.50

**Total Proposed Woodland Management Fees \$6,454.50**

**Notes:**

- Buckthorn will be cut and laid down to promote natural decomposition. Buckthorn will be removed, chipped, and chips blown back into woods if high buckthorn densities accumulate and become too dense for the woodland understory.

**Quote for Prairie Establishment and Noxious Weed Control**

<b>Item</b>	<b>Units</b>	<b>Qty</b>	<b>Unit Price</b>	<b>Total Price</b>
<b>Area 1</b>				
Early Summer 2010 noxious weed (broadleaf) Spray	acre	.49	\$250	\$122.50
<b>Area 12 ( Except SE corner )</b>				
Early Summer 2010 noxious weed (broadleaf) spray	acre	11.74	\$250	\$2,935
<b>SE corner of Area 12</b>				
Fall 2009 Herbicide Treatment	acre	.66	\$250	\$165
Spring 2010 Herbicide Treatment	acre	.66	\$250	\$165
Seed bed preparation, installation of dry upland prairie seed mix, and disk anchoring of straw mulch	acre	.42	\$2,000	\$840
Seed bed preparation, installation of short Transition (Blue grama) seed mix	acre	.24	\$1,900	\$456
Erosion control blanket (100% of Blue grama)	sq yd	1,162	\$1.50	\$1,743
<b>Area 23</b>				
Early Summer 2010 noxious weed (broadleaf) spray	acre	3.07	\$250	\$767.50
<b>Area 30</b>				
Early Summer 2010 noxious weed (broadleaf) spray	acre	1.94	\$250	\$485
<b>Area 35</b>				
Early Summer 2010 noxious weed (broadleaf) spray	acre	1.28	\$250	\$320
<b>Area 42</b>				
Early Summer 2010 noxious weed (broadleaf) spray	acre	.98	\$250	\$245
<b>Along South Side of Trail and as it abuts to the Street within Area 42 &amp; 12 Per Plan</b>				
Fall 2009 Herbicide Treatment	acre	.19	\$250	\$47.50
Spring 2010 Herbicide Treatment	acre	.19	\$250	\$47.50
Seed bed preparation, installation of short Transition (Blue grama) seed mix.	acre	.19	\$1,900	\$361

Erosion control blanket (100% of Blue grama)sq yd	920	\$1.50	\$1,380
<b>SW Trail Extension</b>			
Fall 2009 Herbicide Treatment	acre .05	\$250	\$12.5
Spring 2010 Herbicide Treatment	acre .05	\$250	\$12.5
Seed bed preparation, installation of short Transition (Blue grama) seed mix.	acre .05	\$1,900	\$95
Erosion control blanket (100% of Blue grama)sq yd	242	\$1.50	\$363

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**Total Proposed Prairie Establishment and Noxious Weed Control Fees \$10,563**

**Notes:**

1. This quote does not include the removal or disposal of any construction debris.
2. This quote does not include any soil grading or soil amendments and assumes acceptable soil.

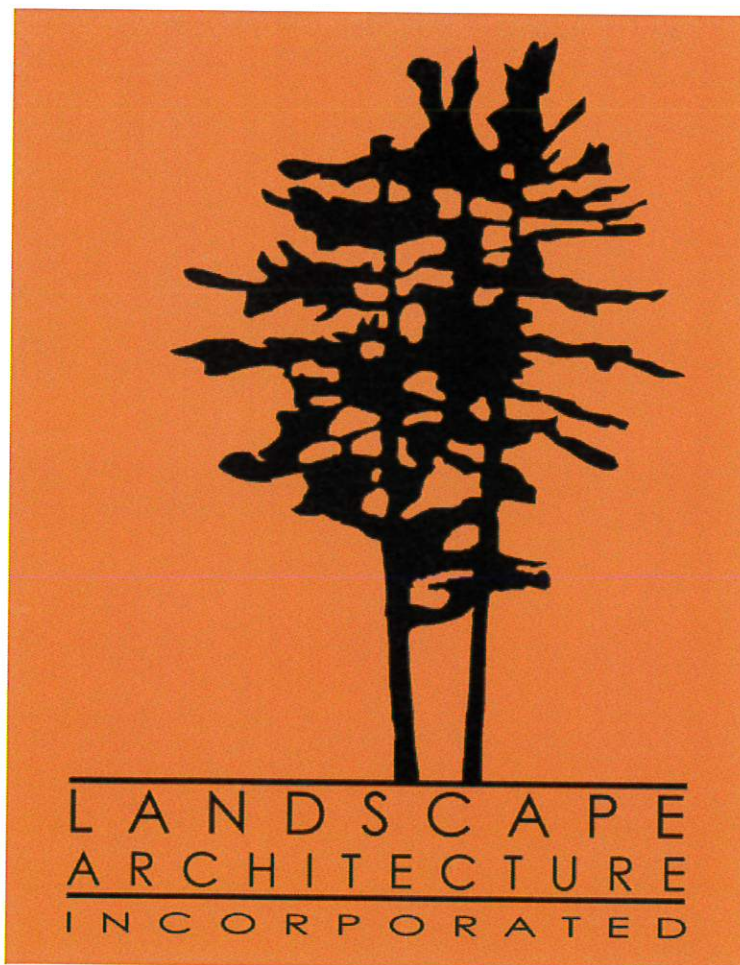
**Total Proposed Installation Fees: \$33,767.50**



# PLANT SELECTIONS

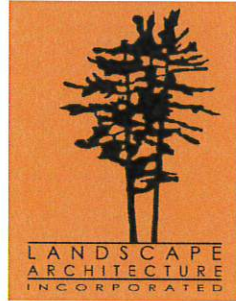
SANCTUARY  
LAKE ELMO, MINNESOTA

AUGUST 2009



856 Raymond Avenue, Suite C  
Saint Paul, Minnesota 55114  
651.646.1020

# DECIDUOUS TREES ALREADY INSTALLED



## COMMON NAME

Red Maple

Autumn Blaze Maple

White Ash

Flowering Crab

## SCIENTIFIC NAME

*Acer rubrum*

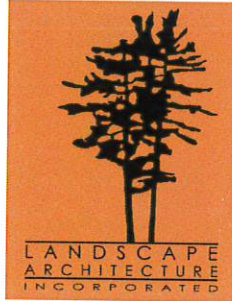
*Acer x freemanii* 'Jeffersred'

*Fraxinus americana*

*Malus Sp.*



# PROPOSED TREES



## COMMON NAME

Autumn Blaze Maple

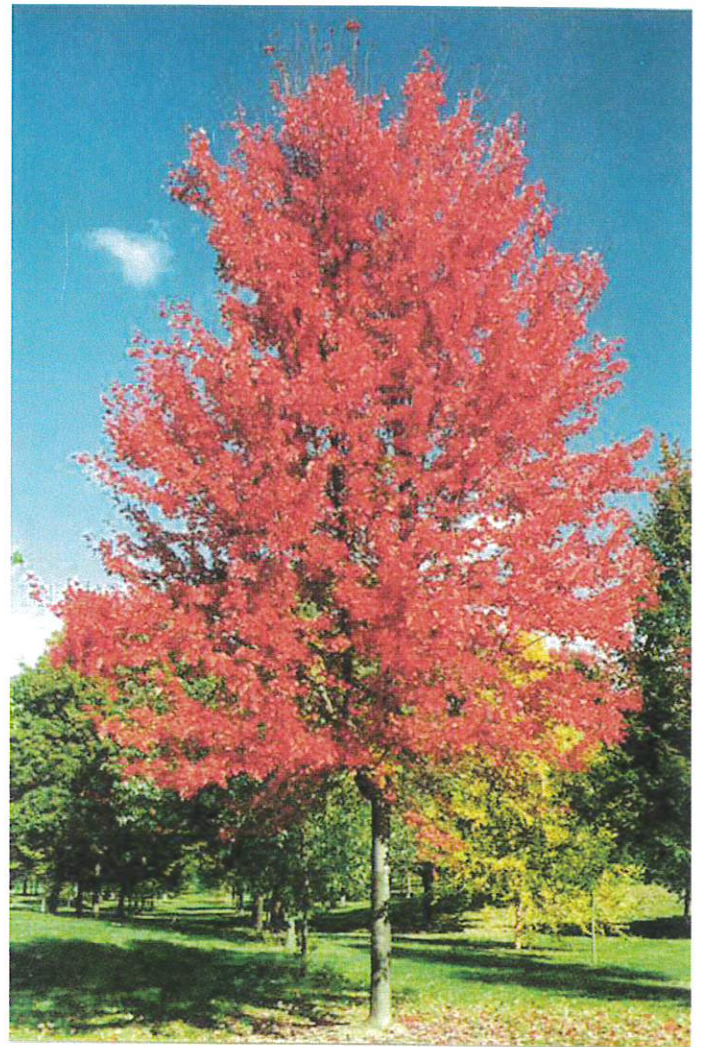
Bur Oak

## SCIENTIFIC NAME

*Acer x freemanii* 'Jeffersred'

*Quercus macrocarpa*





## ACER - MAPLE

*Acer x freemanii* 'Jeffersred'

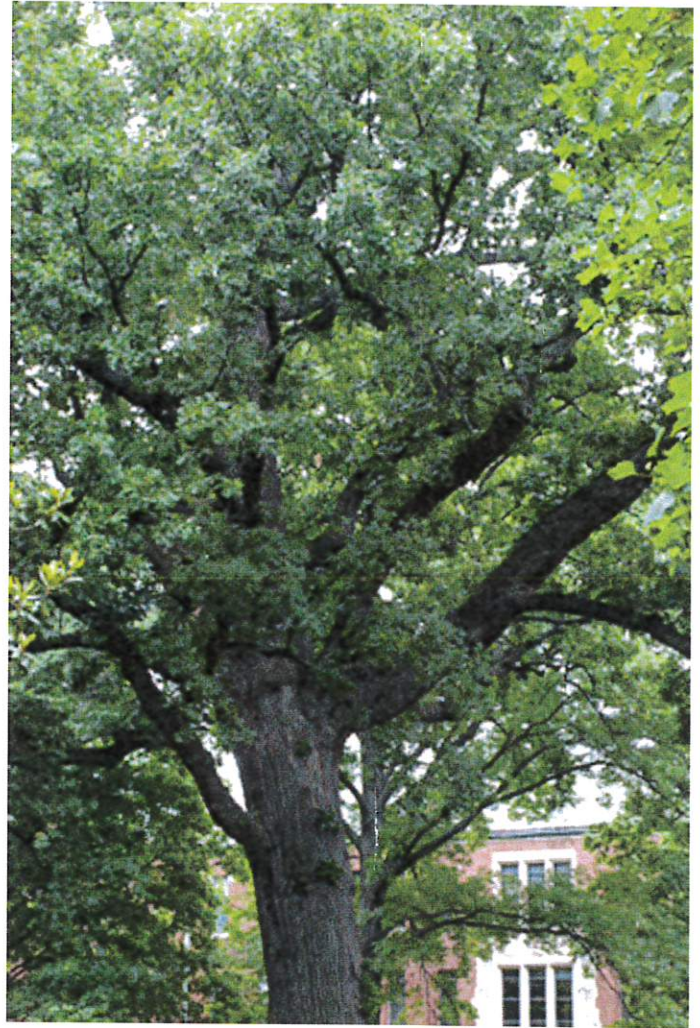
Autumn Blaze Maple

Height: 50-60'  
 Spread: 40'  
 Shape: Dense oval head

Foliage: Rich green, deeply lobed  
 Fall Foliage: Orange-red  
 Zone: 4-7

This hybrid of Silver and Red Maple has experienced phenomenal popularity due to its ascending branch habit, rapid growth rate, drought tolerance, ability to grow in most soils, beautiful fall color, and form. It was selected as the 1997 Iowa Tree of the year, Own root. 2004 Urban Tree of the year, Society of Municipal Arborists.





© Erv Evans

## QUERCUS - OAK

### *Quercus macrocarpa*

Height: 60-80'  
 Spread: 60-80'  
 Shape: Rounded, open

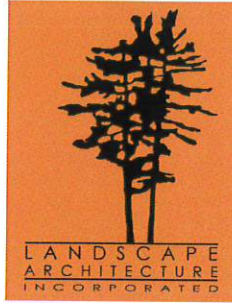
### Bur Oak

Foliage: Dark green above, grayish beneath  
 Fall Foliage: Yellowish-brown to purplish  
 Zone: 3-8

Native from Nova Scotia to Manitoba and south to Pennsylvania and Texas, this beautiful oak has attractive corky bark that's especially interesting in winter. A great xeriscape plant, it tolerates a wide range of soil types and air pollutants.



# PRAIRIE



## COMMON NAME

## SCIENTIFIC NAME

**MNL TRANSTION MIX - Super Short Xeric Prairie Grass ( 8 inch height )**

Blue Grama ..... *Bouteloua gracilis*



Blue Grama at Curb Edge





Blue Grama Close-Up

**MNL MIX (G1) - Short Xeric Prairie Grass ( 18 inch height )**

Side-Oats Grama .....	<i>Bouteloua curtipendula</i>
Blue Grama .....	<i>Bouteloua gracilis</i>
Prairie Brome .....	<i>Bromus kalmii</i>
Canada Wild Rye .....	<i>Elymus canadensis</i>
June Grass .....	<i>Koeleria cristata</i>
Little Bluestem.....	<i>Schizachyrium scoparium</i>
Prairie Dropseed .....	<i>Sporobolus heterolepis</i>

**MNL MIX (F1) - Short Xeric Wildflower ( 18 inch height )**

Fragrant Giant Hyssop .....	<i>Agastache foeniculum</i>
Prairie Onion.....	<i>Allium stellatum</i>
Leadplant .....	<i>Amorpha canescens</i>
Butterfly Milkweed .....	<i>Asclepias tuberosa</i>
Smooth Blue Aster .....	<i>Aster laevis</i>
Azure Aster .....	<i>Aster oolentangiensis</i>
Upland White Aster .....	<i>Aster ptarmicoides</i>
Stiff Tickseed .....	<i>Coreopsis palmata</i>
White Prairie Clover .....	<i>Dalea candidum</i>
Purple Prairie Clover .....	<i>Dalea purpureum</i>
Narrow-Leaved Coneflower .....	<i>Echinacea angustifolia</i>
Pale Purple Coneflower .....	<i>Echinacea pallida</i>
Round-Headed Bushclover .....	<i>Lespedeza capitata</i>
Rough Blazing Star .....	<i>Liatris aspera</i>
Dotted Blazing Star .....	<i>Liatris punctata</i>



Wild Lupine .....	<i>Lupinus perennis</i>
Wild Bergamot .....	<i>Monarda fistulosa</i>
Showy Penstemon .....	<i>Penstemon grandiflorus</i>
Long-Headed Coneflower .....	<i>Ratibida columnifera</i>
Prairie Rose .....	<i>Rosa arkansana</i>
Black-Eyed Susan .....	<i>(Rudbeckia hirta)</i>
Old Field Goldenrod .....	<i>Solidago nemoralis</i>
Stiff Goldenrod .....	<i>Solidago rigida</i>
Showy Goldenrod .....	<i>Solidago speciosa</i>
Prairie Spiderwort .....	<i>Tradescantia bracteata</i>
Hoary Vervain .....	<i>Verbena stricta</i>
Heart-Leaf Golden Alexanders .....	<i>Zizia aptera</i>



G1 & F1 Mid-Summer





G1 & F1 Late Summer



G1 & F1 Late Fall

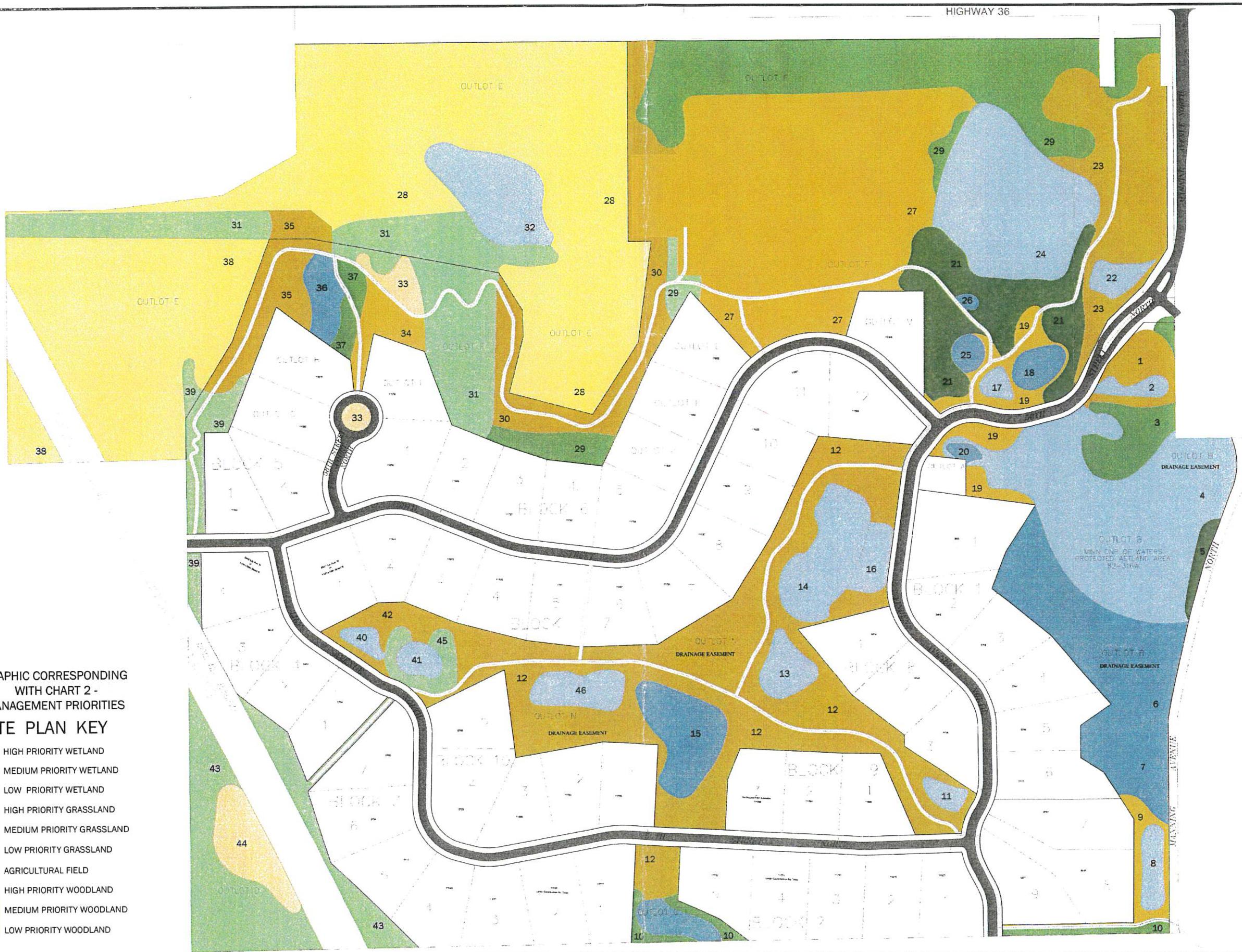


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**NURSERIES**

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Saint Paul, Minnesota 55119  
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[baileynurseries.com](http://baileynurseries.com)

Plant Information & Text Provided By BAILEY NURSERIES





GRAPHIC CORRESPONDING  
WITH CHART 2 -  
MANAGEMENT PRIORITIES  
SITE PLAN KEY

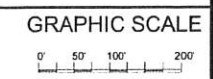
- HIGH PRIORITY WETLAND
- MEDIUM PRIORITY WETLAND
- LOW PRIORITY WETLAND
- HIGH PRIORITY GRASSLAND
- MEDIUM PRIORITY GRASSLAND
- LOW PRIORITY GRASSLAND
- AGRICULTURAL FIELD
- HIGH PRIORITY WOODLAND
- MEDIUM PRIORITY WOODLAND
- LOW PRIORITY WOODLAND



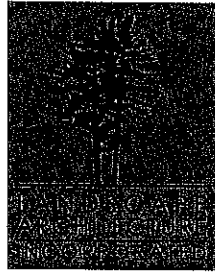
SANCTUARY - SITE CONDITION PLAN

LAKE ELMO, MINNESOTA

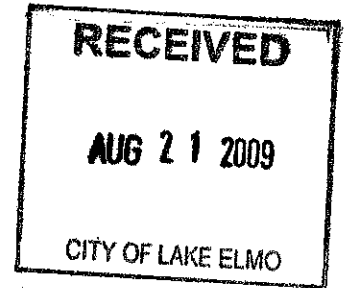
JULY 2009







Prepared by:  
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Landscape Architecture, Inc.  
Date Submitted: 7/23/09  
Submitted to: Sanctuary HOA



## Landscape Classification System Sanctuary Development Lake Elmo, MN

This report provides baseline information on the landscape cover at Sanctuary Development in Lake Elmo, Minnesota. The current landscape cover is a mosaic of grassland, woodland, and wetlands. Non-native plants are dominant across each landscape type. For example, the grasslands are generally dominated by non-native grasses introduced from Europe. Areas dominated by non-native plant species, generally, have less wildlife (butterflies, birds, amphibians, etc.) and lower soil and water quality. Some of the non-native species at Sanctuary are listed as federal or state prohibited noxious weeds and, by law, must be controlled on private and public lands. The prohibited noxious weeds at Sanctuary include Canada Thistle, Bull Thistle, and Musk Thistle.

In this report, we first classified each landscape type to the following: wetland, grassland, woodland, or agricultural field. We estimated the percent cover of native versus non-native species to provide information on the ecological condition of each area. That said, not all non-native plants are noxious or invasive species. We provide a general measure of *landscape quality* (low, medium, high) based on the native versus non-native plant composition (Chart one, columns three and four); resulting in the overall assessment of native plant diversity (landscape quality, Chart 1, Column 5).

**Chart 1- Assessment of Landscape Quality**

Results of Landscape Survey (July 13, 2009)

Area number	Landscape Type	Percent (%) Native Plant Cover	Percent (%) Non-native Plant Cover	Landscape Quality
1	Grassland	2	98	Low
2	Wetland	5	95	Low
3	Woodland	30	70	Medium
4	Wetland	20	80	Low
5	Woodland	20	80	Low
6	Wetland	30	70	High
7	Wetland	5	95	Low
8	Wetland	5	95	Low
9	Grassland	5	95	Low
10	Woodland	40	60	Medium
11	Wetland	5	95	Low
12	Grassland	5	95	Low
13	Wetland	5	95	Low
14	Wetland	40	60	Medium
15	Wetland	5	95	Low
16	Wetland	5	95	Low
17	Wetland	5	95	Low
18	Wetland	5	95	Low
19	Grassland	2	98	Low
20	Wetland	5	95	Low
21	Woodland	10	90	Low
22	Wetland	5	95	Low
23	Grassland	2	98	Low
24	Wetland	70	30	High
25	Wetland	20	80	Medium
26	Wetland	5	95	Low
27	Grassland	1	99	Low
28	Agricultural Field	-	-	-
29	Woodland	20	80	Low
30	Grassland	5	95	Low
31	Woodland	2	98	Low
32	Wetland	5	95	Low
33	Grassland	30	70	Medium
34	Grassland	10	90	Low
35	Grassland	10	90	Low
36	Wetland	5	95	Low
37	Woodland	20	80	Medium
38	Agricultural Field	-	-	-
39	Woodland	30	70	Medium

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40	Wetland	5	95	Low
41	Wetland	5	95	Low
42	Grassland	2	98	Low
43	Woodland	15	85	Low
44	Grassland	5	95	Low
45	Woodland	10	90	Low
46	Wetland	5	95	Low
Average		12.5%	87.5%	Low

In the second chart, we determined the distribution of invasive and noxious plant populations and indicate management priorities based on areas with the highest density of invasive and noxious plants. Areas with the highest density of invasive plants have a “high” management priority. Areas with moderate invasive plant densities are suggested as a “medium” management priority. Lastly, “low” areas are those with few invasive plants and are considered to have a low management priority.

**Chart 2- Management Priorities: High Densities of Invasive Plant Populations.**

**High** indicates high densities of invasive or prohibited noxious plants and a required need for management.

**Medium** indicates less invasive or noxious plants and a moderate need for management.

**Low** indicates less invasive / no noxious plants and little need for management relative to other areas in the short-term.

Area number	Landscape Type	Management Priority
1	<b>Grassland</b>	<b>High</b>
2	Wetland	Low
3	Woodland	Medium
4	Wetland	Low
5	<b>Woodland</b>	<b>High</b>
6	Wetland	Medium
7	Wetland	Medium
8	Wetland	Low
9	Grassland	Medium
10	Woodland	Medium
11	Wetland	Low
12	<b>Grassland</b>	<b>High</b>
13	Wetland	Low
14	Wetland	Low
15	Wetland	Medium

16	Wetland	Low
17	Wetland	Low
18	Wetland	Medium
19	Grassland	Medium
20	Wetland	Medium
<b>21</b>	<b>Woodland</b>	<b>High</b>
22	Wetland	Low
<b>23</b>	<b>Grassland</b>	<b>High</b>
24	Wetland	Low
25	Wetland	Medium
26	Wetland	Medium
27	Grassland	Medium
28	Agricultural Field	-
29	Woodland	Low
<b>30</b>	<b>Grassland</b>	<b>High</b>
31	Woodland	Low
32	Wetland	Low
33	Grassland	Low
34	Grassland	Medium
<b>35</b>	<b>Grassland</b>	<b>High</b>
36	Wetland	Medium
37	Forest	Low
38	Agricultural Field	-
39	Woodland	Low
40	Wetland	Low
41	Wetland	Low
<b>42</b>	<b>Grassland</b>	<b>High</b>
43	Woodland	Low
44	Grassland	Low
45	Woodland	Low
46	Wetland	Low

**Invasive and noxious species - Highest density areas:**

The locations in red have the highest densities of invasive and noxious species. Without control, these populations are likely to spread and cause further problems. In the Wooded areas (5 and 21) invasive common buckthorn is highly dense and has formed an almost impenetrable thicket. Highlighted grassland areas contain high densities of the noxious weeds: Bull Thistle, Canada Thistle, Musk Thistle, Spotted Knapweed, and Wild Parsnip. All of the above species are non-native, invasive, and highly problematic. The thistle species are deemed prohibited noxious weeds and are to be controlled in accordance with

state law. For images and plant descriptions please see the Minnesota DNR information included as appendices at the end of this document.

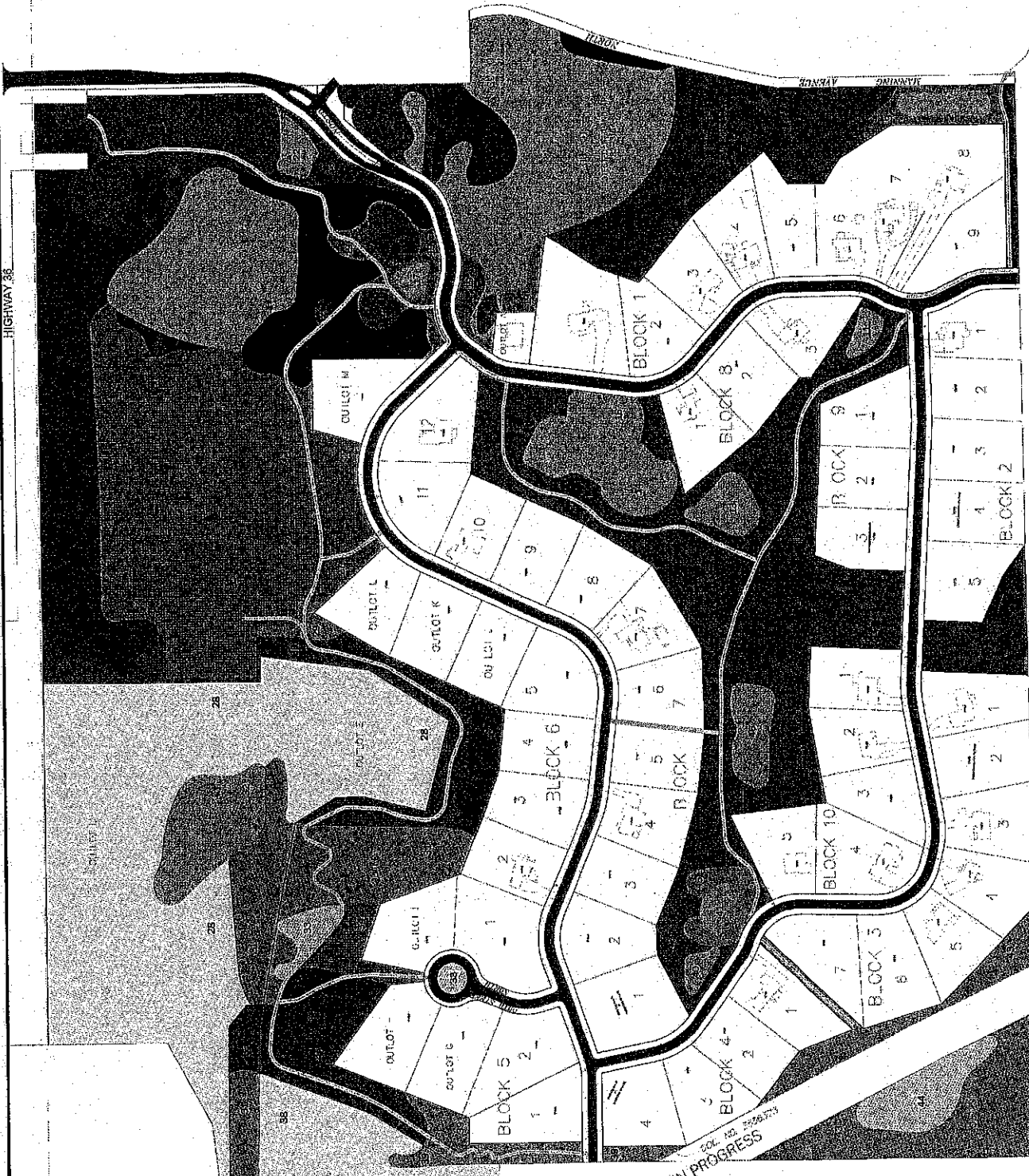
For additional information on noxious and invasive weeds please visit the Minnesota DNR website.

Minnesota DNR

Accessed: 7/15/2009

<http://www.dnr.state.mn.us/invasives/terrestrialplants/index.html>

HIGHWAY 36



UTILITY EASEMENT - UTILITY WORK IN PROGRESS

- GRAPHIC CORRESPONDING WITH CHART 2 MANAGEMENT PRIORITIES
- SITE PLAN KEY**
- HIGH PRIORITY WETLAND
  - MEDIUM PRIORITY WETLAND
  - LOW PRIORITY WETLAND
  - HIGH PRIORITY GRASSLAND
  - MEDIUM PRIORITY GRASSLAND
  - LOW PRIORITY GRASSLAND
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  - MEDIUM PRIORITY WOODLAND
  - LOW PRIORITY WOODLAND

GRAPHIC SCALE

JULY 2009

LAKE ELMO, MINNESOTA

SANCTUARY - SITE CONDITION PLAN

NORTH

# APPENDICES

INVASIVE AND NOXIOUS PLANT DESCRIPTIONS

DNR INVASIVE AND NOXIOUS PLANT LIST & DEFINITIONS

# Buckthorn

**Common buckthorn** (*Rhamnus cathartica*) was first brought to Minnesota from Europe in the mid-1800s as a very popular hedging material. Shortly after its introduction here, it was found to be quite invasive in natural areas. The nursery industry stopped selling it in the 1930s, but many buckthorn hedges may still be found in older neighborhoods throughout Minnesota.

**Glossy buckthorn** (*Frangula alnus*), also from Europe, has been sold by the nursery trade in two different forms. The cultivar *Columnaris* has a narrow and tall form; the cultivar *Aspenifolia* spreads up to 10 feet and has narrow leaves that give it a ferny texture. This buckthorn aggressively invades wetlands including acidic bogs, fens and sedge meadows.



**Buckthorn is one of the most invasive species found in Minnesota.**

## Why is buckthorn such a problem?

- Out-competes native plants for nutrients, light, and moisture
- Degrades wildlife habitat
- Threatens the future of forests, wetlands, prairies, and other natural habitats
- Contributes to erosion by shading out other plants that grow on the forest floor
- Serves as host to other pests, such as crown rust fungus and soybean aphid
- Forms an impenetrable layer of vegetation
- Lacks "natural controls" like insects or disease that would curb its growth





**Buckthorn leaves out early and retain leaves late into the fall creating dense shade that helps it to out-compete many native plants.**

## **Regulations**

European or common buckthorn and glossy or alder buckthorn are listed as restricted noxious weeds in Minnesota. It is illegal to import, sell, or transport buckthorn in Minnesota.

## **More about buckthorn**

[Identifying buckthorn](#)

[Is buckthorn in your](#)

[yard?](#)

[What you can do to control buckthorn!](#)

Minnesota Conservation Volunteer magazine article [The Trouble With Backyard Buckthorn](#)

## Bull thistle (*Cirsium vulgare*)



### Description:

**Appearance:** Biennial herbaceous plant, between 3 - 6' tall with one erect branched stem. It grows a rosette in its first year and blooms in its second year.

**Leaves:** Alternate, coarsely lobed, each lobe with a spine at its tip. Spines extend downward from the leaves along prominent ridges of the stem. Upper leaf surface is rough.

**Flowers:** Disk-shaped flowerheads contain hundreds of tiny individual purple flowers which bloom from July through August.

**Seeds:** Numerous straw-colored seeds with plume-like bristles are dispersed by wind. They remain viable in the soil for over 10 years.

**Roots:** Each plant has a fleshy taproot.

### Ecological Threat:

- It colonizes primarily in disturbed areas such as pastures, roadsides, and ditch banks, but also in hayfields and disturbed prairies.
- Bull thistle is distasteful to most grazing animals, giving the thistle a competitive edge.
- It generally does not pose a threat to high quality areas.

Does not withstand cultivation.

- It was introduced to the U.S. in the early 1800s from Europe and Asia.
- Bull thistle is on the MDA **Prohibited noxious weeds** list in Minnesota.

## Control Methods:

### **Mechanical**

Pulling or mowing in Pulling or mowing in and dispose off-site to avoid reseeding

### **Chemical**

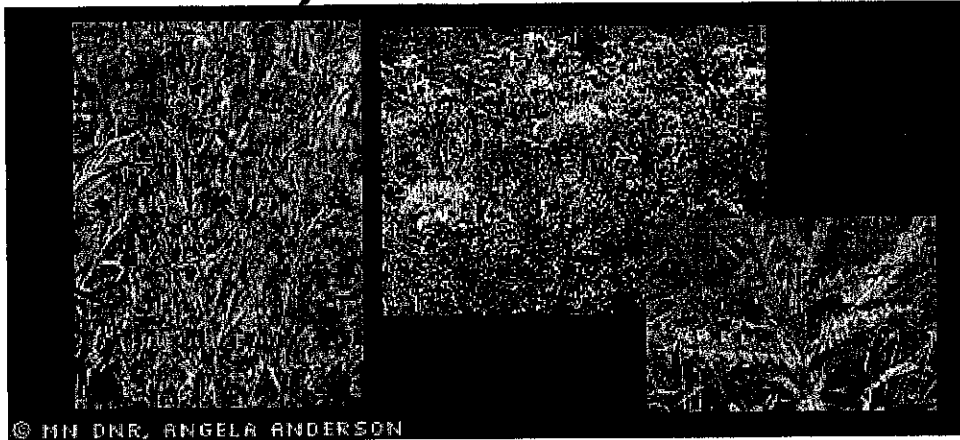
Spot-spraying with glyphosate, triclopyr or metsulfuron when plants are in rosette stage (first year) in the fall when non-target plants are less susceptible

### **Biological**

Thistlehead-feeding weevil and rosette-feeding weevil.

**Caution:** There have been observations of weevils feeding on native thistles

# Canada thistle (*Cirsium arvense*)



## Description:

**Appearance:** Perennial herbaceous plant, 2 - 5' tall with slender grooved stems that branch only at the top. It has male and female plants.

**Leaves:** Alternate, smooth, oblong, tapering, and directly attached to the stem, deeply divided, with prickly margins.

**Flowers:** Numerous small purple flowers appear on top of the upper branched stems between June and September.

**Seeds:** Small light brown seeds are tufted for dispersal by the wind. Seeds remain viable in the soil for over 20 years.

**Roots:** Each plant has a fibrous taproot with wide spreading horizontal roots. Each small section of root can form a new plant enabling the plant to spread vegetatively.

## Ecological Threat:

- Canada thistle invades natural areas such as prairies, savannas, glades and dunes if some degree of disturbance already exists. It also invades wet areas with fluctuating water levels such as streambanks, sedge meadows and wet prairies.

- Once it has established itself it spreads quickly replacing native plants, diminishing diversity. It grows in circular patches spreading vegetatively through horizontal roots which can spread 10 -12' in one season.
- Canada thistle occurs throughout the northern U.S. from northern California to Maine and southward to Virginia and in Canada.
- It has been declared a noxious weed in 43 states as one of the most tenacious agricultural weeds.
- Canada thistle is on the MDA **Prohibited noxious weeds** list in Minnesota.

## **Control Methods:**

### **Mechanical**

Repeated pulling and mowing will weaken roots, mowing when flower buds are just to open

Late spring burns May/June are most detrimental, but also stimulate seed germination; burn consecutively for 3 years

### **Chemical**

Spot application with glyphosate or with selective herbicide clopyralid, or metsulfuron

### **Biological**

Stem weevil, bud weevil and stem gall fly are commercially available

# Musk or nodding thistle (*Carduus nutans*)



## Description:

**Appearance:** Biennial herbaceous plant, between 1 1/2 - 6' tall, multi-branched stem. Plants overwinter in the rosette stage.

**Leaves:** Alternate, coarsely lobed, dark green with light green midrib, smooth and hairless. Large first year rosette leaves.

**Flowers:** Disk-shaped flowerheads contain hundreds of tiny individual purple flowers which bloom from June through July. Flowerheads droop to a 90 degree angle from the stem when mature.

**Roots:** Each plant has a fibrous taproot.

**Plumeless Thistle - *Carduus acanthoides*** (no picture) is very similar especially in rosette stage, hybridizes readily with above; flowers are one-third the size of above and not nodding, underside of leaf is hairy.

## Ecological Threat:

- It generally does not pose a threat to high quality areas. It colonizes primarily in disturbed areas.

- Musk thistle is distasteful to grazing animals, giving the thistle a competitive edge.
- It grows best in disturbed areas such as pastures, roadsides, and ditch banks, but also in hayfields and disturbed prairies.
- A native of western Europe it was introduced to the U.S. in the early 1800s, and is declared an agricultural pest.
- Musk thistle and Plumeless thistle are on the MDA **Prohibited noxious weed** list in Minnesota.

## Control Methods:

### **Mechanical**

Pulling or mowing in early bud or bloom stage, then dispose offsite

### **Chemical**

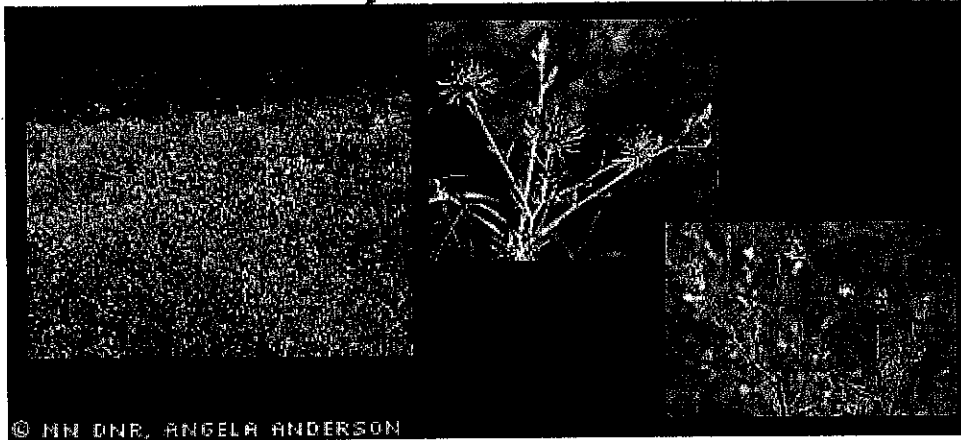
Spot-spraying with glyphosate, triclopyr or metsulfuron when plants are in rosette stage (first year) in the fall when non-target plants are less susceptible

### **Biological**

Thistlehead-feeding weevil and rosette-feeding weevil.

**Caution:** Observations of weevils feeding on native thistles

# Spotted knapweed (*Centaurea maculosa*)



## Description:

**Appearance:** Biennial or short-lived perennial herbaceous plant, 2 - 3' high. Basal leaves form a rosette the first year from which grow 1- 20 wiry, hoary, branched stems during the second year.

**Leaves:** Alternate, grayish, hoary, and divided into lance-shaped lobes decreasing in size at the top.

**Flowers:** Thistle-like pink to purple flowers sit at the tips of terminal and axillary stems, bloom from July through September.

**Seeds:** Brownish, 1/4" long with small tuft of bristles, dispersed by rodents, livestock and commercial hay. Seed viable in the soil for 7 years.

**Roots:** Stout taproot. Lateral shoots form new rosettes near the parent plant.

**Caution:** Wear long sleeves and gloves, can be a skin irritant to some people.

## Ecological Threat:



- Especially threatens dry prairie, oak and pine barrens, dunes and sandy ridges.
- Spotted knapweed is poisonous to other plants (phytotoxic).
- Spreads rapidly in artificial corridors, gravel pits, agricultural field margins and overgrazed pastures.
- A native of Europe and Asia it has become a serious problem in pastures and rangeland of the western states.
- It is on the MDA **Secondary noxious weeds** list in Minnesota.

## **Control Methods:**

### **Mechanical**

Early detection and pulling

Mowing as needed so plants cannot go to seed

Prescribed burning, only very hot burns are effective which may also damage native plants

### **Chemical**

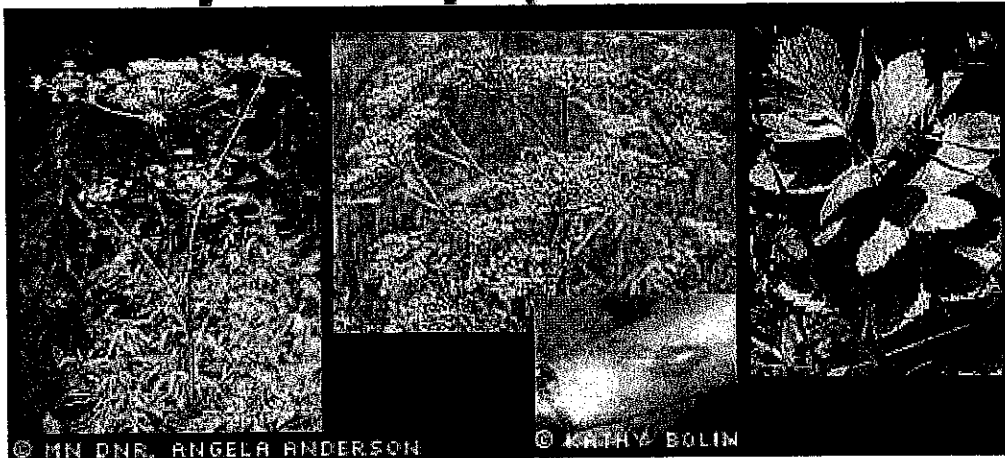
Apply selective herbicide clopyralid during bud growth in early June for best results (48 oz per 100 gal water). Use caution in quality natural areas herbicide affects native plants of the sunflower and pea family as well.

### **Biological**

Thirteen insects identified

Two seedhead flies are most promising

# Wild parsnip (*Pastinaca sativa*)



## Description:

**Appearance:** Monocarpic perennial herbaceous plant (plant spends one or more years in rosette stage, blooms under favorable conditions, and then dies), 6" high in the rosette stage and 4' high on stout, grooved stems in the flowering stage.

**Leaves:** Alternate, leaf is made up of 5 -15 egg shaped leaflets along both sides of a common stalk; leaflets sharply-toothed or lobed at the margins; upper leaves smaller.

**Flowers:** Flat-topped broad flower cluster 2 - 6" wide, numerous five-petaled yellow flowers; bloom from June to late summer.

**Seeds:** Small, flat, round, slightly ribbed, strawcolored, abundant take 3 weeks to ripen before they can reseed; viable in the soil for 4 years.

**Roots:** Long, thick, edible taproot.

**Warning - Avoid skin contact with the toxic sap of the plant tissue by wearing gloves, long sleeves and long pants. The juice of wild parsnip in contact with skin in the presence of sunlight can cause a rash and blistering and discoloration of the skin (phytophotodermatitis).**

## **Ecological Threat:**

- Well established prairies are not likely to be invaded by wild parsnip, but it readily moves into disturbed habitats, along edges and or in disturbed patches. It invades slowly, but once population builds it spreads rapidly and can severely modify open dry, moist, and wet-moist habitats.
- It is primarily a problem in southeastern Minnesota in prairies and oak openings.
- A native of Europe and Asia this plant has escaped from cultivation, it is grown as root vegetable, and is common throughout the U.S.

## **Control Methods:**

### **Mechanical**

Do nothing in healthy prairies, natives can sometimes outcompete the parsnip

Hand pulling and removing of plants

Cut the plant below the root crown before seeds set, and remove the cut plant

Mow or cut the base of the flowering stem and remove

### **Chemical**

Use sparingly in quality habitats

Spot application with glyphosate or selective metsulfuron after a prescribed burn, parsnip is one of the first plants to green up

# Minnesota and Federal Prohibited and Noxious Plants by Scientific Name

(compiled by the Minnesota DNR's Exotic Species Program 12-30-99)

- Key:** FN - Federal noxious weed (USDA-Animal Plant Health Inspection Service)  
 SN - State noxious weed (Minnesota Department of Agriculture)  
 RN - Restricted noxious weed (Minnesota Department of Agriculture)  
 CN - State noxious weed in some counties (Minnesota Department of Agriculture)  
 PE - Prohibited exotic species (Minnesota Department of Natural Resources)  
 PS - State prohibited weed seed (Minnesota Department of Agriculture)  
 RS - State restricted weed seed (Minnesota Department of Agriculture)  
 (See explanations of these classifications below the lists of species)

Scientific Name	Common names	Regulatory Classification
<b>Aquatic plants:</b>		
<i>Azolla pinnata</i> R. Brown	mosquito fern, water velvet	FN
<i>Butomus umbellatus</i> Linnaeus	flowering rush	PE
<i>Crassula helmsii</i> (Kirk) Cockayne	Australian stonecrop	PE
<i>Eichornia azurea</i> (Swartz) Kunth	anchored waterhyacinth, rooted waterhyacinth	FN
<i>Hydrilla verticillata</i> (Linnaeus f.) Royle (Carl von Linnaeus) Royle	hydrilla	FN, PE
<i>Hygrophila polysperma</i> (Roxburgh) T. Anders	Indian swampweed, Miramar weed	FN, PE
<i>Ipomoea aquatica</i> Forsskal	water-spinach, swamp morning-glory	FN
<i>Lagarosiphon major</i> (Ridley) Moss ex Wagner	African oxygen weed	FN, PE
<i>Limnophila sessiliflora</i> (Vahl) Blume	ambulia	FN
<i>Lythrum salicaria</i> , <i>Lythrum virgatum</i> , or any variety, hybrid, or cultivar thereof) Linnaeus	purple loosestrife	PE, SN
<i>Melaleuca quinquinervia</i> (Cav.) Blake	broadleaf paper bark tree	FN
<i>Monochoria hastata</i> (Linnaeus) Solms-Laubach		FN
<i>Monochoria vaginalis</i> (Burman f.) C. Presl		FN
<i>Myriophyllum spicatum</i> Linnaeus	Eurasian water milfoil	PE
<i>Ottelia alismoides</i> (L.) Pers.		FN
<i>Potamogeton crispus</i> Linnaeus	curly-leaf pondweed	PE
<i>Sagittaria sagittifolia</i> Linnaeus	arrowhead	FN
<i>Salvinia auriculata</i> Aublet	giant salvinia	FN
<i>Salvinia biloba</i> Raddi	giant salvinia	FN
<i>Salvinia herzogii</i> de la Sota	giant salvinia	FN

Minnesota and Federal Prohibited and Noxious Weed List

12-30-99

<i>Salvinia molesta</i> D.S. Mitchell	aquarium watermoss, giant salvinia	FN
<i>Sparganium erectum</i> Linnaeus	exotic bur-reed	FN
<i>Stratiotes aloides</i> Linnaeus	water aloe or water soldiers	PE
<i>Trapa natans</i> Linnaeus	water chestnut	PE

**Parasitic weeds:**

*Aeginetia* spp. FN

*Alectra* spp. FN

*Cuscuta* spp. (dodders), other than following species: FN

- Cuscuta americana* Linnaeus
- Cuscuta appplanata* Engelmann
- Cuscuta approximata* Babington
- Cuscuta attenuata* Waterfall
- Cuscuta boldinghii* Urban
- Cuscuta brachycalyx* (Yuncker) Yuncker
- Cuscuta californica* Hooker & Arnott
- Cuscuta campestris* Yuncker
- Cuscuta cassyoides* Nees ex Engelmann
- Cuscuta ceanothii* Behr
- Cuscuta cephalanthii* Engelmann
- Cuscuta compacta* Jussieu
- Cuscuta corylii* Engelmann
- Cuscuta cuspidata* Engelmann
- Cuscuta decipiens* Yuncker
- Cuscuta dentatasquamata* Yuncker
- Cuscuta denticulata* Engelmann
- Cuscuta epilinum* Weihe
- Cuscuta epithymum* (Linnaeus) Linnaeus
- Cuscuta erosa* Yuncker
- Cuscuta europaea* Linnaeus
- Cuscuta exalta* Engelmann
- Cuscuta fasciculata* Yuncker
- Cuscuta glabrior* (Engelmann) Yuncker
- Cuscuta globulosa* Bentham
- Cuscuta glomerata* Choisy
- Cuscuta gronovii* Willdenow
- Cuscuta harperi* Small
- Cuscuta howelliana* Rubtzoff
- Cuscuta indecora* Choisy
- Cuscuta jepsonii* Yuncker
- Cuscuta leptantha* Engelmann
- Cuscuta mitriformis* Engelmann
- Cuscuta nevadensis* I. M. Johnston
- Cuscuta obtusiflora* Humboldt, Bonpland, & Kunth
- Cuscuta occidentalis* Millspaugh ex Mill & Nuttall

- Cuscuta odontolepis* Engelman
- Cuscuta pentagona* Engelman
- Cuscuta planiflora* Tenore
- Cuscuta plattensis* A. Nelson
- Cuscuta polygonorum* Engelman
- Cuscuta rostrata* Shuttleworth ex Engelman
- Cuscuta runyonii* Yuncker
- Cuscuta salina* Engelman
- Cuscuta sandwichiana* Choisy
- Cuscuta squamata* Engelman
- Cuscuta suaveolens* Seringe
- Cuscuta suksdorfii* Yuncker
- Cuscuta tuberculata* Brandegee
- Cuscuta umbellata* Humboldt, Bonpland, & Kunth
- Cuscuta umbrosa* Beyrich ex Hooker
- Cuscuta vetchii* Brandegee
- Cuscuta wameri* Yuncker

*Orobanche* spp. (broomrapes), other than the following species:

FN

- Orobanche bulbosa* (Gray) G. Beck
- Orobanche californica* Schlechtendal & Chamisso
- Orobanche cooperi* (Gray) Heller
- Orobanche corymbosa* (Rydberg) Ferris
- Orobanche dugesii* (S. Watson) Munz
- Orobanche fasciculata* Nuttall
- Orobanche ludoviciana* Nuttall
- Orobanche multicaulis* Brandegee
- Orobanche parishii* (Jepson) Heckard
- Orobanche pinorum* Geyer ex Hooker
- Orobanche uniflora* Linnaeus
- Orobanche valida* Jepson
- Orobanche vallicola* (Jepson) Heckard

*Striga* spp.

Witchweeds

FN

**Terrestrial weeds:**

- Abutilon theophrasti* velvetleaf CN
- Ageratina adenophora* (Sprengel) King & Robinson (crofton weed) FN
- Agropyron repens* L. quackgrass CN, RS
- Alliaria petiolata* (Formerly *Alliaria officinalis*) garlic mustard SN
- Alternanthera sessilis* sessile joyweed FN
- (Linnaeus) R. Brown ex de Candolle
- Amaranthus retroflexus* redroot pigweed CN

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Amaranthus blitoides</i>	prostrate pigweed	CN
<i>Ambrosia artemisiifolia</i> *	common ragweed	CN
<i>Ambrosia trifida</i> *	giant ragweed	CN
<i>Arctium minus</i>	burdock	CN
<i>Artemisia absinthium</i> *	absinthe wormwood	CN
<i>Asclepias syriaca</i> *	common milkweed	CN
<i>Asphodelus fistulosus</i> Linnaeus	onionweed	FN
<i>Avena fatua</i>	wild oat	CN
<i>Avena sterilis</i> Linnaeus	animated oat, wild oat (including <i>Avena ludoviciana</i> Durieu)	FN
<i>Barbarea vulgaris</i>	yellow rocket	CN
<i>Berteroa incana</i> D.C.	hoary alyssum	CN, RS
<i>Borreria alata</i> (Aublet) de Candolle		FN
<i>Brassica arvensis</i> L.	wild mustard	RS
<i>Brassica kaber</i>	wild mustard	CN
<i>Cannabis sativa</i>	hemp	SN, PS
<i>Carduus acanthoides</i>	plumeless thistle	SN, PS
<i>Carduus nutans</i>	musk thistle	SN, PS
<i>Carthamus oxyacantha</i> M. Bieberstein	wild safflower	FN
<i>Cenchrus longispinus</i> *	long-spined sandbur	CN
<i>Centaurea maculosa</i>	spotted knapweed	CN
<i>Centaurea repens</i> L.	Russian knapweed	CN, PS
<i>Chenopodium album</i>	common lambsquarters	CN
<i>Cirsium arvense</i>	Canada thistle	SN, PS
<i>Cirsium vulgare</i>	bull thistle	SN, PS
<i>Chrysanthemum leucanthemum</i>	oxeye daisy	CN
<i>Chrysopogon aciculatus</i> (Retzius) Trinius	pillpiliula	FN
<i>Commelina benghalensis</i> Linnaeus	Benghal dayflower	FN
<i>Convolvulus arvensis</i>	Field bindweed	SN, PS
<i>Crepis capillaris</i>	smooth hawksbeard	CN
<i>Crepis tectorum</i>	narrowleaf hawksbeard	CN
<i>Crupina vulgaris</i> Cassini	common crupina	FN
<i>Cuscuta</i> spp.	dodder	RS

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Cyperus esculentus</i>	yellow (nutgrass) nutsedge	CN
<i>Datura stramonium</i>	Jimsonweed	CN
<i>Daucus carota</i>	wild carrot	CN
<i>Descurainia sophia</i>	Flixweed	CN
<i>Digitaria scalarum</i> (Schweinfurth) Chiovenda	African couchgrass, fingergrass	FN
<i>Digitaria velutina</i> (Forsskal) Palisot de Beauvois	velvet fingergrass, annual conchgrass	FN
<i>Drymaria arenarioides</i>	lightning weed	FN
Humboldt & Bonpland ex Roemer & Schultes		
<i>Emex australis</i> Steinhell	three-cornered jack	FN
<i>Emex spinosa</i> (Linnaeus) Campdera	devil's thorn	FN
<i>Eriochloa villosa</i>	woolly cupgrass	CN
<i>Euphorbia esula</i>	leafy spurge	SN, PS
<i>Galega officinalis</i> Linnaeus	goatsrue	FN
<i>Grindelia squarrosa</i> *	curlycup gumweed	CN
<i>Heracleum mantegazzianum</i> Sommier & Levier	giant hogweed	FN
<i>Helianthus annuus</i> *	common sunflower (except cultivars)	CN
<i>Helianthus tuberosus</i> *	Jerusalem artichoke	CN
<i>Hibiscus trionum</i>	venice mallow	CN
<i>Hieracium aurantiacum</i>	orange hawkweed	CN
<i>Imperata brasiliensis</i> Trinius	Brazilian satintail	FN
<i>Imperata cylindrica</i> (Linnaeus) Raeuschel	cogongrass	FN
<i>Ipomoea triloba</i> Linnaeus	little bell, aiea morning-glory	FN
<i>Ischaemum rugosum</i> Salisbury	murainograss	FN
<i>Iva xanthifolia</i> *	marsh elder	CN
<i>Kochia scoparia</i>	kochia	CN
<i>Lepidium draba</i> L.	perennial peppergrass	PS
<i>Leptochloa chinensis</i> (Linnaeus) Nees	Asian sprangletop	FN
<i>Lychnis alba</i>	white cockle	CN
<i>Lycium ferocissimum</i> Miers	African boxthorn	FN
<i>Lythrum salicaria</i> , <i>virgatum</i> , or any combination	purple loosestrife	SN
<i>Melastoma malabathricum</i> Linnaeus		FN
<i>Mikania cordata</i> (Burman f.) B. L. Robinson	mile-a-minute	FN
<i>Mikania micrantha</i> Humboldt, Bonpland, & Kunth		FN



Minnesota and Federal Prohibited and Noxious Weed List

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<i>Mimosa invisa</i> Martius	giant sensitive plant	FN
<i>Mimosa pigra</i> Linneaus var. <i>pigra</i>	catclaw mimosa	FN
<i>Muhlenbergia frondosa</i> *	wirestem muhly	CN
<i>Nassella trichotoma</i> (Nees) Hackel ex Arechavaleta	serrated tussock	FN
<i>Opuntia aurantiaca</i> Lindley	jointed prickly pear	FN
<i>Oryza longistaminata</i> A. Chevalier & Roehrich	red rice	FN
<i>Oryza punctata</i> Kotschy ex Steudel	red rice	FN
<i>Oryza rufipogon</i> Griffith	red rice	FN
<i>Panicum dichotomiflorum</i>	fall panicum	CN
<i>Panicum miliaceum</i>	panicum, wild proso millet	CN
<i>Paspalum scrobiculatum</i> Linnaeus	Kodo-millet	FN
<i>Pennisetum clandestinum</i>	kikuyugrass	FN
	Hochstetter ex Chiovenda	
<i>Pennisetum macrourum</i> Trinius	African feathergrass	FN
<i>Pennisetum pedicellatum</i> Trinius	kyasumagrass	FN
<i>Pennisetum polystachion</i> (Linnaeus) Schultes	missiongrass, thin napiergrass	FN
<i>Plantago lanceolata</i> L.	buckhorn plantain	RS
<i>Polygonum convolvulus</i>	wild buckwheat	CN
<i>Polygonum pennsylvanicum</i> *	Pennsylvania smartweed	CN
<i>Polygonum persicaria</i>	smartweed, ladysthumb	CN
<i>Prosopis alata</i> R. A. Philippi		FN
<i>Prosopis argentina</i> Burkart		FN
<i>Prosopis articulata</i> S. Watson		FN
<i>Prosopis burkartii</i> Munoz		FN
<i>Prosopis caldenia</i> Burkart		FN
<i>Prosopis calingastana</i> Burkart		FN
<i>Prosopis campestris</i> Griseback		FN
<i>Prosopis castellanosi</i> Burkart		FN
<i>Prosopis denudans</i> Bentham		FN
<i>Prosopis elata</i> (Burkart) Burkart		FN
<i>Prosopis farcta</i> (Solander ex Russell) Macbride		FN
<i>Prosopis ferox</i> Grisebach		FN
<i>Prosopis fiebrigii</i> Harms		FN

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Prosopis hassleri</i> Harms		FN
<i>Prosopis humilis</i> Gillies ex Hooker & Arnott		FN
<i>Prosopis kuntzei</i> Harms		FN
<i>Prosopis pallida</i> (Humboldt & Bonpland ex Willdenow) Humboldt, Bonpland, & Kunth		FN
<i>Prosopis palmeri</i> S. Watson		FN
<i>Prosopis reptans</i> Bentham var. <i>reptans</i>		FN
<i>Prosopis rojasiana</i> Burkart		FN
<i>Prosopis ruizlealii</i> Burkart		FN
<i>Prosopis ruscifolia</i> Grisebach		FN
<i>Prosopis sericantha</i> Gillies ex Hooker & Arnott		FN
<i>Prosopis strombulifera</i> (Lamarck) Bentham		FN
<i>Prosopis torquata</i> (Cavanilles ex Lagasca y Segura) de Candolle		FN
<i>Pteridium aquilinum</i> *	bracken	CN
<i>Pueraria lobata</i>	kudzu	FN
<i>Ranunculus acris</i>	tall buttercup	CN
<i>Raphanus raphanistrum</i>	wild radish	CN, RS
<i>Rhamnus cathartica</i>	common or European buckthorn	RN
<i>Rhamnus frangula</i>	glossy buckthorn, including all cultivars	RN
	(columnaris, tallcole, asplenifolia and all other cultivars)	[effective December 31, 2000]
<i>Rottboellia exaltata</i> Linnaeus f.	itchgrass, raoulgrass	FN
<i>Rubus fruticosus</i> Linnaeus (complex)	wild blackberry	FN
<i>Rubus moluccanus</i> Linnaeus	wild raspberry	FN
<i>Rumex crispus</i>	curly dock	CN
<i>Saccharum spontaneum</i> Linnaeus	wild sugarcane	FN
<i>Salsola kali</i>	Russian thistle	CN
<i>Salsola vermiculata</i> Linnaeus	wormleaf salsola	FN
<i>Setaria faberii</i>	giant foxtail	CN, RS
<i>Setaria pallide-fusca</i>	cattail grass	FN
	(Schumacher) Stapf & Hubbard	
<i>Silene noctiflora</i>	nightflowering catchfly	CN
<i>Solanum carolinense</i> L.	horse nettle	RS
<i>Solanum nigrum</i>	black nightshade	CN
<i>Solanum ptycanthum</i> Dun	Eastern black nightshade	RS

Minnesota and Federal Prohibited and Noxious Weed List

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<i>Solanum rostratum</i> *	buffalobur	CN
<i>Solanum torvum</i> Swartz	turkeyberry	FN
<i>Solanum viarum</i> Dunal	tropical soda apple	FN
<i>Sonchus arvensis</i>	perennial sowthistle	SN, PS
<i>Sorghum almum</i>	Sorghum-almum	CN
<i>Tanacetum vulgare</i>	tansy	CN
<i>Thlaspi arvense</i> L.	Frenchweed	RS
<i>Toxicodendron radicans</i> *	poison ivy (formerly <i>Rhus radicans</i> )	SN
<i>Tridax procumbens</i> Linnaeus	coat buttons	FN
<i>Urochloa panicoides</i> Beauvois	liverseed grass	FN
<i>Xanthium pennsylvanicum</i> *	common cocklebur	CN

\*Native species to Minnesota

**FEDERAL NOXIOUS WEED LIST (FN)**

Federal noxious weeds are listed in the Code of Federal Regulations, title 7, section 360.200. According to the Federal Noxious Weed Act, Title 7, Chapter 61, section 2803, federal noxious weeds may not be imported into or through the United States, unless in accordance with conditions allowed by the USDA-APHIS. The sale, purchase, exchange, or receipt of federal noxious weeds is illegal. For more information contact: Kevin Conners at 612-334-4194.

**PROHIBITED NOXIOUS WEEDS (SN)**

These species are designated in M.R.1505.0730 by the Commissioner of Agriculture. The terrestrial and parasitic weeds listed in the Code of Federal Regulations, title 7, section 360.200 are also prohibited noxious weeds. The prohibited noxious weeds are designated because they are injurious to public health, the environment, public roads, crops, livestock, and other property. Prohibited noxious weeds must be controlled or eradicated as required in Minnesota Statutes, section 18.78. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123 or [Charles.Dale@state.mn.us](mailto:Charles.Dale@state.mn.us)

**RESTRICTED NOXIOUS WEEDS (RN)**

The plants listed in M.R.1505.0732 are restricted noxious weeds. The importation, sale, and transportation of these plants or their propagating parts is illegal in the state except as provided by Minnesota Statutes, section 18.82. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

**COUNTY NOXIOUS WEEDS (CN)**

The Minnesota commissioner of agriculture may take a weed or weeds from the secondary noxious weed list in M.R.1505.0740 and add it to the prohibited or restricted noxious weed list in parts 1505.0730 and 1505.0732 on a county basis according to M.R. 1505.0750. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

**PROHIBITED EXOTIC SPECIES (PE)**

These species and any hybrids, cultivars, or varieties of the species are designated by the Department of Natural Resources in M.R. 6216.0250 as prohibited exotic species. It is illegal to possess, import, purchase, sell, propagate, transport, or introduce prohibited exotic species, except as allowed by statute. The statutes and rules that apply to these species are M.S. 84D05, 84D.08, 84D.10, 84D.11, 84D.13, M.R. 6216.0265, and M.R.6216.0280. For more information contact Jay Rendall, Minnesota Department of Natural Resources, at 651-297-1464 or [jay.rendall@dnr.state.mn.us](mailto:jay.rendall@dnr.state.mn.us).

**PROHIBITED WEED SEEDS (PS)**

*Prohibited weed seeds* are prohibited from being present in agricultural, vegetable, flower, tree, and shrub seeds sold in Minnesota in accordance with Minnesota Statutes, section 21.86, subdivision 1, paragraph (d). The plants listed in M.R.1510.0271 are prohibited weed seeds. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

**RESTRICTED WEED SEEDS (RS)**

Minnesota's *restricted weed seeds* are those weed seeds which, if present in agricultural, vegetable, flower, tree, and shrub seed, must be named on the label together with the number per ounce or pound of seed specified and which may not exceed the legal limit. They are seeds of weeds which are objectionable in fields, lawns, and gardens of this state, and which can be controlled by good cultural practice and use of herbicides. Restricted weed seeds are listed in M.R. 1510.0320. For more information contact: Chuck Dale, Minnesota Department of Agriculture, at 651-296-6123.

## Kyle Klatt

---

**From:** K.D. Widin [kdwidin@comcast.net]  
**Sent:** Tuesday, September 08, 2009 10:15 AM  
**To:** Kyle Klatt; Ryan W. Stempski; Kelli Matzek; Stephen Mastey  
**Subject:** Sanctuary Landscape Plan

Lake Elmo Staff -

I have reviewed the landscape plan for the Sanctuary development which was recently submitted to the city. The original landscape plan, which was approved by the Lake Elmo City Council, was never implemented by the developer. During the time which ensued since the development was approved, homes have been built and lots landscaped by property owners. Now that landscaping is in on private property and residents have had time to observe the land and vistas, they have expressed interest in changing the landscape plan to better fit the development as it is now and would prefer to enhance the natural land cover that exists there. Development funds available for landscaping are limited and Mr. Mastey's plan reflects what can be done by using a habitat restoration approach with the funds available.

The plan recently submitted is quite different than the one originally submitted, particularly in that it does not contain the several hundred boulevard trees originally proposed for the project.

Planting boulevard trees now, when a number of residents have already completed their front yard landscaping, was not favored by the Sanctuary homeowner's association. The open vistas of native prairie and wetland landscapes with enhanced native tree stands appeal to the residents who are already in the development. For open space developments, where conservation of natural areas and native plant communities is paramount, enhancing the plant communities already present on the site makes sense.

I have reviewed the site condition plan, which prioritizes areas for management of non-native invasive plants, the landscape plan and plant lists, which show some areas to be seeded with prairie grasses and wildflowers, and proposes planting nine large shade trees. All invasive plant management work and plantings will take place in common, open areas of the development such as designated outlots and open space.

Control of non-native, invasive plants is important in the restoration of native woodland, wetland and grassland habitats. The plan and recommendations for how this will be accomplished are appropriate in terms of the plants involved and the degree of habitat degradation in each area of the development.

Seeding of some areas of the development with native grasses and wildflowers will follow invasive plant management. The techniques and plants listed for this site are appropriate for the work which is being done and the end result desired. Buckthorn management for this project proposes 1 cutting and treating for larger buckthorn in native woodland areas of the development. Treating/pulling of seedlings will also need to be done for a number of years after the original treatment to keep the buckthorn from re-establishing in the woodlands. As the buckthorn is removed in future years, planting of native trees, shrubs, and ground-layer plants will be necessary to fully restore the area.

The nine shade trees to be planted are good species to be used, with few serious insect or disease problems. The tree size is larger than I would normally recommend, but a large (85 in.) tree spade will be used to transplant the trees. Mulching and watering for the trees is recommended for this fall and waterings are also scheduled for the 2010 growing season. After-care for such large trees is important to avoid additional transplant stress and attack by insect borers and fungal canker disease fungi. Part of the rationale for planting larger trees was also to avoid damage from bucks rubbing their antlers on smaller (1.5-3 in. diam. ) trees and killing them. A deer control barrier will be put up around the tree trunks after planting to minimize deer damage. From a design perspective for this development, a few, large trees will make more of a visual impact while allowing the prairie

and wetland plant communities to be viewed. This type of plan, with fewer trees, will require less maintenance overall than a plan emphasizing many, smaller trees.

I approve the management plan and planting plan for this development. With the constraints upon this development, in terms of landscaping already planted by residents and limited funds available for common area landscaping, I think this is the best plan for the site at this time. Hopefully, the HOA will be able to accomplish additional work on this site in the future to further manage the open space and continue to establish higher quality natural areas.

Please contact me if you have any questions regarding this landscape plan review.

Kathy Widin  
Forestry Consultant  
City of Lake Elmo

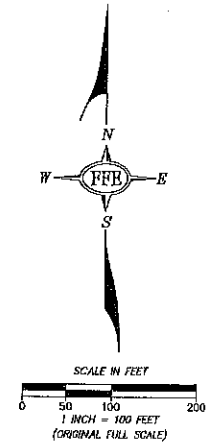
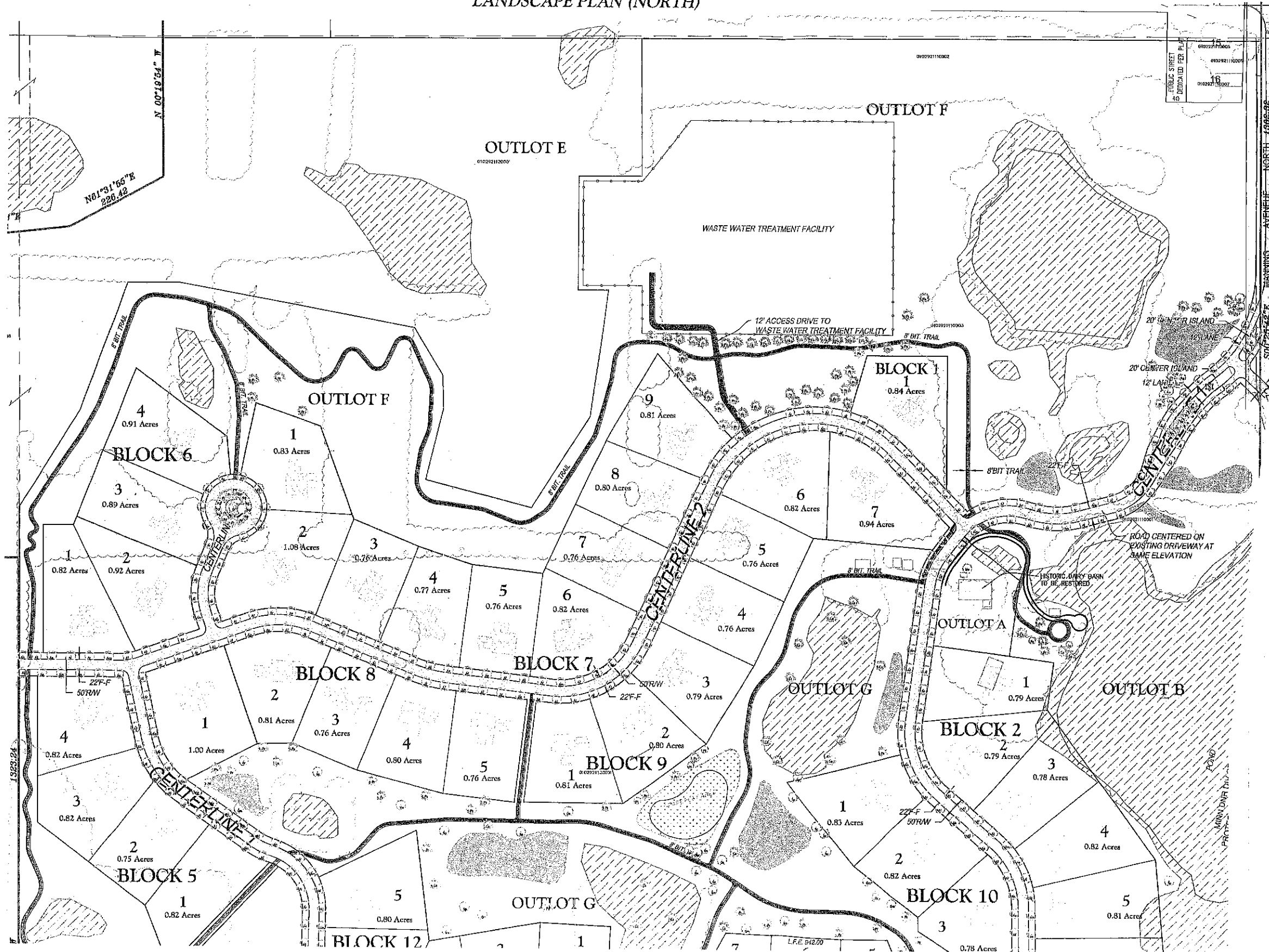
# SANCTUARY LAKE ELMO, MINNESOTA

## PRELIMINARY PLAT LANDSCAPE PLAN (NORTH)

Folz, Freeman, Erickson, Inc.  
LAND PLANNING • SURVEYING • ENGINEERING



5620 MEMORIAL AVENUE NORTH  
STILLWATER, MINNESOTA 55082  
Phone (651) 439-8833 Fax (651) 430-9331



TREE SCHEDULE: TOTAL # 590

DECIDUOUS TREES

Qty.	Key	Scientific Name	Common Name	Size	Roel	Notes
07	AJ	Acer x fraxinell 'Jefferson'	Ashmun Blown Maple	2" Cal.	B&B	Natural Form
02	Ar	Acer rubrum	Red Maple	2" Cal.	B&B	Natural Form
04	Am	Acer rubrum 'Armstrong'	Armstrong Maple	2" Cal.	B&B	Natural Form
09	As	Acer rubrum 'Autumn Spice'	Autumn Spice Maple	2" Cal.	B&B	Natural Form
02	Al	Acer rubrum 'Landsburg'	Landsburg Maple	2" Cal.	B&B	Natural Form
09	Aw	Acer rubrum 'Olive'	Northern Maple	2" Cal.	B&B	Natural Form
04	An	Acer rubrum 'Northwood'	Northwood Maple	2" Cal.	B&B	Natural Form
01	AJ	Acer rubrum 'Frankford'	Red Sunset Maple	2" Cal.	B&B	Natural Form
19	Sp	Salix 'Prairie Cascade'	Prairie Cascade Willow	2" Cal.	B&B	Natural Form
10	Qm	Quercus macrocarpa	Bur Oak	2" Cal.	B&B	Natural Form
10	Qe	Quercus ellipsoides	Northern Pin Oak	2" Cal.	B&B	Natural Form
03	Qr	Quercus rubra	Northern Red Oak	2" Cal.	B&B	Natural Form
06	Mw	Malus 'Wolf River'	Wolf River Apple	2" Cal.	B&B	Natural Form
14	Ag	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' Hgt.	B&B	Natural Form
03	Pa	Populus tremuloides	Quaking Aspen	2" Cal.	B&B	Natural Form

EVERGREEN TREES

08	Pa	Pinus strobus	White Pine	6' Hgt.	B&B	Natural Form
09	Pr	Pinus resinosa	Red Pine	6' Hgt.	B&B	Natural Form
03	La	Larix laricina	Tamarack	6' Hgt.	B&B	Natural Form

9/17/05  
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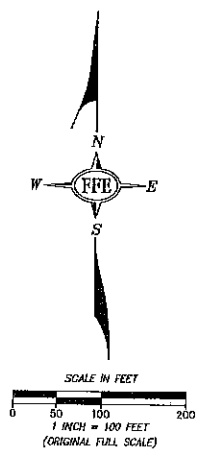
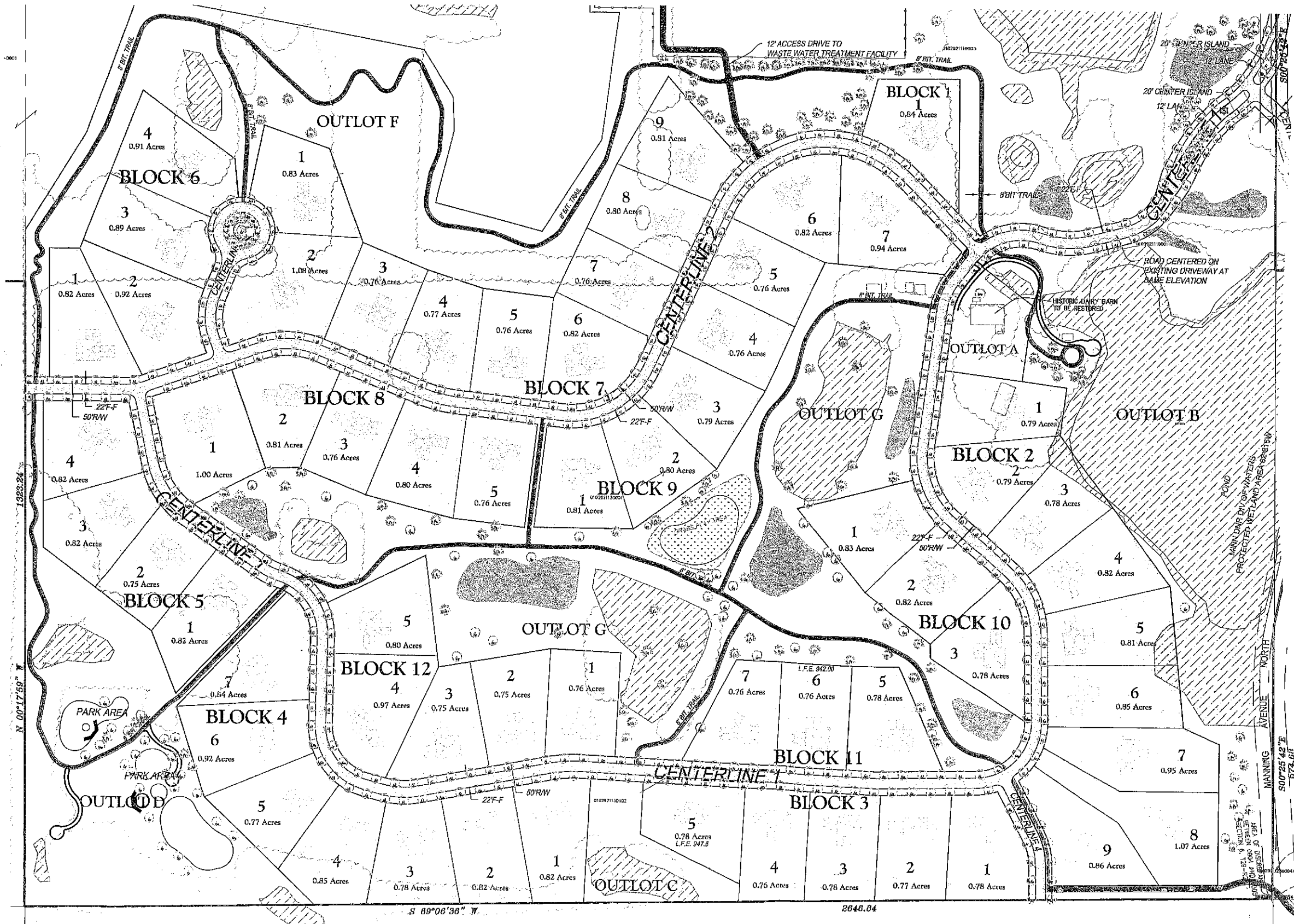
Map No. 05-1150

# SANCTUARY LAKE ELMO, MINNESOTA

## PRELIMINARY PLAT LANDSCAPE PLAN (SOUTH)

Folz, Freeman, Erickson, Inc.  
LAND PLANNING • SURVEYING • ENGINEERING

**F F E** 5620 MEMORIAL AVENUE NORTH  
STILLWATER, MINNESOTA 55082  
Phone (651) 439-8833 Fax (651) 430-9331



**DECIDUOUS TREES**

Key	Scientific Name	Common Name	Size	Root	Notes
AJ	<i>Acer x freemanii</i> 'Jefferson'	Autumn Blaze Maple	2" Cal.	D&R	Natural Form
Ar	<i>Acer rubrum</i>	Red Maple	2" Cal.	B&B	Natural Form
Am	<i>Acer rubrum</i> 'Armstrong'	Armstrong Maple	2" Cal.	B&R	Natural Form
As	<i>Acer rubrum</i> 'Autumn Spire'	Autumn Spire Maple	2" Cal.	B&B	Natural Form
Al	<i>Acer rubrum</i> 'Landsburg'	Firedance Maple	2" Cal.	B&S	Natural Form
Ac	<i>Acer rubrum</i> 'Clear'	Nashville Maple	2" Cal.	B&B	Natural Form
An	<i>Acer rubrum</i> 'Northwood'	Northwood Maple	2" Cal.	B&R	Natural Form
Af	<i>Acer rubrum</i> 'Frankford'	Red Sunset Maple	2" Cal.	B&B	Natural Form
Sp	<i>Salix 'Prairie Cascade'</i>	Prairie Cascade Willow	2" Cal.	B&R	Natural Form
Qm	<i>Quercus macrocarpa</i>	Bur Oak	2" Cal.	B&S	Natural Form
Qc	<i>Quercus ellipsoidalis</i>	Northern Pin Oak	2" Cal.	B&R	Natural Form
Qr	<i>Quercus rubra</i>	Northern Red Oak	2" Cal.	B&S	Natural Form
Mw	<i>Malus 'Wolf River'</i>	Wolf River Apple	2" Cal.	B&S	Natural Form
Ag	<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' Hgt.	B&B	Natural Form
Pt	<i>Populus tremuloides</i>	Quaking Aspen	2" Cal.	D&B	Natural Form

**EVERGREEN TREES**

Key	Scientific Name	Common Name	Size	Root	Notes
Pw	<i>Pinus strobus</i>	White Pine	6' Hgt.	D&B	Natural Form
Pr	<i>Pinus resinosa</i>	Red Pine	6' Hgt.	B&R	Natural Form
La	<i>Larix laricina</i>	Tamarack	6' Hgt.	B&B	Natural Form

9/17/05  
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ITEM: Conditional job offers to Bruce "Nick" Witter, Cheryl Pumper, and Justin Pumper  
SUBMITTED BY: Greg Malmquist, Fire Chief  
REVIEWED BY: Craig W. Dawson, Interim City Administrator  
Tom Bouthilet, HR/Finance Director

**SUMMARY AND ACTION REQUESTED:** The City Council is being asked to approve conditional job offers to Bruce "Nick" Witter, Cheryl Pumper and Justin Pumper for firefighters, contingent on their passing physical exams and psychological screening. They have met the requirements to this point (background check, attended three meetings, ability test and interview process). Upon successful completion of the physical and screening, they shall be placed on probation status with the fire department.

There department currently has 27 firefighters (4 of which are probationary). With the new probationary firefighters, to 30 (8 of which are on Probation). The authorized complement for the Fire Department is 32. Compensation is \$7.04/call for probationary firefighters.

**RECOMMENDATION :**

Chief Malmquist recommends approval of the conditional job offers.

***SUGGESTED MOTION FOR CONSIDERATION***

***Motion to make conditional job offer to Bruce "Nick" Witter, Cheryl Pumper and Justin Pumper pending the successful outcome of their department physical and psychological screening each will be placed on probationary status with the fire department.***

**ORDER OF BUSINESS:**

- Introduction Craig Dawson, Interim City Administrator
- Report and introductions Greg Malmquist, Fire Chief
- Questions to presenter Mayor and Councilmembers
- Questions/comments from the Public, if any (up to 3 minutes) Mayor facilitates
- Call for a motion Mayor and Councilmembers
- Discussion Mayor and Councilmembers
- Action City Council

City Council  
Date: 9/15/09  
REGULAR  
Item: 5

ITEM: Consider accepting a proposal for the construction of a picnic shelter at Carriage Station Park.

SUBMITTED BY: Park Commission

REVIEWED BY: Carol Kriegler, Project Assistant  
Jerry Mazzer, Project Architect  
Craig Dawson, Interim City Administrator  
Mike Bouthilet, Park Superintendent

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**SUMMARY AND ACTION REQUESTED:**

The City Council authorized Jerry Mazzer of Design Forum to develop construction documents related to the construction of two picnic shelters, one sized at approximately 20'x20' and another at approximately 20'x32'. The smaller shelter is intended to accommodate 2-4 picnic tables and would be placed in a smaller city park serving users largely from the immediate neighborhood. The larger shelter is intended to accommodate 6 or so picnic tables and would be placed in a larger city park serving users from the broader community (i.e. youth groups, scout troops, family reunions, etc.) The City currently does not have a picnic shelter in any of its parks. The shelter designs were developed with the intention of carrying the design forward in future picnic shelters and park amenities throughout the city's park system

The City Council is being asked to accept a proposal from Stotko Speeding Construction for the construction of a 20'x20' picnic shelter at Carriage Station Park at a cost of \$36,500.00 with the expenditure coming out of the park capital improvement fund. In addition, the Council is being asked to authorize expenditures of up to \$2,000.00 for equipment rental, materials and supplies related to site preparation, restoration and landscaping work that would be done by the City's public works staff.

**BACKGROUND INFORMATION:**

The City's Draft Park Capital Improvement program includes \$26,000 for a picnic shelter in Carriage Station Park and \$30,000 for a picnic shelter in DeMontreville Park. The Park Commission's 2009 Work Plan identifies shelter construction at Carriage Station and DeMontreville Parks as high priorities.

Lowe's Companies Inc. offered the city a grant of materials and supplies valued at approximately \$11,000 to be used for the construction of a park picnic shelter. The City has received some building materials already and is awaiting receipt of additional materials and a gift card with a balance of approximately \$3,700.00 to be used for additional material purchases. Contractors were made aware of the availability of these resources during the proposal process. The Lake Elmo Jaycees have also offered to support the project through a gift of \$4,000.

Proposals were received for the construction of a smaller shelter at Carriage Station Park and a larger shelter at Demontreville Park. Contractors were asked to provide proposals for the construction of the shelters individually as well as together, if built concurrently. The Park Commission reviewed the proposals and has recommended on a unanimous vote to move

forward with the construction of the smaller shelter at Carriage Station Park. The Park Commission has expressed that they would like to reconsider locations for the larger shelter and delay construction of the larger shelter until next spring. Since materials received to date from Lowes are based on the larger shelter, there will be the need to continue to store some building materials until that time.

Proposals for construction of the smaller shelter are as follows:

Stotko Speedling \$36,500.00  
DNR Construction \$36,679.00  
Associated Construction Services \$53,065.50

#### RECOMMENDATION:

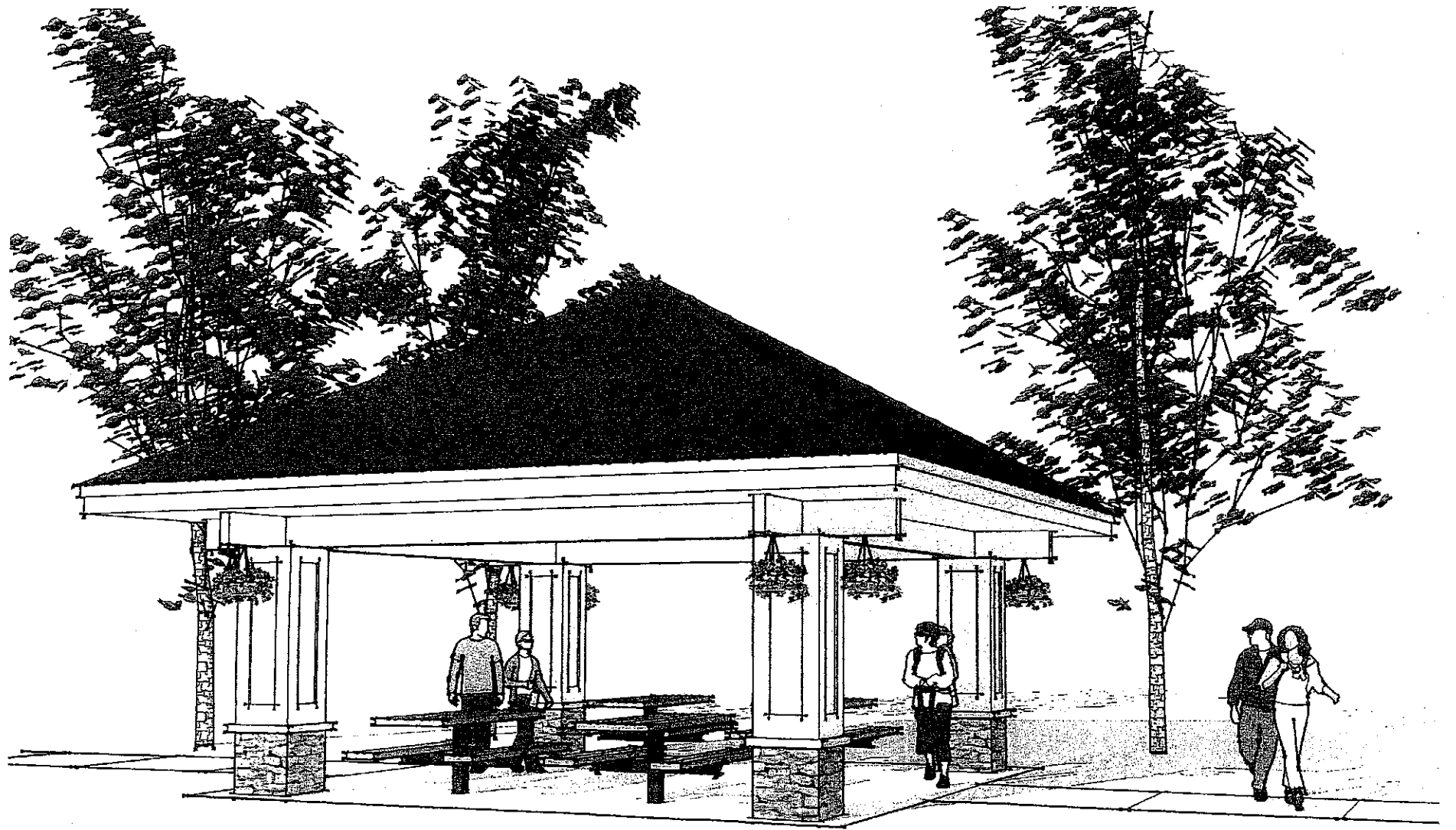
Acceptance of Stotko Speedling's proposal for the construction of a picnic shelter at Carriage Station Park for a cost of \$36,500.00, as well as authorization of expenditures of up to \$2,000 for equipment rental, materials and supplies for use by the public works staff for work related to site preparation, restoration and landscaping.

#### SUGGESTED MOTION:

*Move approval of acceptance of the Stotko Speedling proposal for construction of a park shelter in Carriage Station Park at a cost of \$36,500.00 and authorization of expenditures for equipment rental, supplies and materials related to site preparation, restoration and landscaping to be conducted by the public works staff with the expenditures coming from the Park Capital Improvement Fund.*

#### ATTACHMENTS

- 1 Shelter Drawings
- 2 Stotko Speedling Proposal



**LAKE ELMO PARK SHELTER**

**CONCEPT #2 w/ GREEN ROOF**

ANNEX B BUILDING



# STOTKO SPEEDLING

9/10/2009

Lake Elmo Park Shelters  
Jerry Mazzara  
4801 West 81st Street  
Suite 101  
Minneapolis, MN 55437

Proposal For: City of Lake Elmo Parks Department

Dear Jerry,

Stotko Speedling Construction is pleased to submit a proposal for the Park Shelters located at Carriage Station Park and DeMontreville Park in Lake Elmo, MN

Our proposal was based on the following bid documents:

Architectural: Prepared By: Design Forum  
Specifications: Prepared By: Design Forum

Dated: 8/18/2009

Dated: 5/18/2009

**BASE BID AMOUNT: OPTION #2 Shelter A \$36,500**

The following Alternates are not included in the base bid amount and should be added or subtracted from the total if accepted.

**Alternate #1: Add 5" Slab on Grade in lieu of 4" shelter A \$378.00**

**Alternate #2: Add Ice & Water underlayment at roof \$550.00**

Proposal Exclusions: Please notify Stotko Speedling Construction if any of these items are to be included in the proposal.

- |                      |   |
|----------------------|---|
| 1. Design            | 6. Builders Risk Insurance                      |
| 2. Winter Conditions | 6. Electric, gas, water use during construction |
| 3. Overtime          | 7. Electrical wiring to shelters                |
| 4. SAC/WAC Fees      | 8. Soil Corrections                             |

*CONDUIT FOR FUTURE WIRING INCLUDED IN BASE BID.*

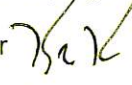
Thank you for contacting Stotko Speedling Construction; we look forward to working with you on this project. Please contact me at 651-480-0056 with any questions or concerns.

Sincerely,  
Stotko Speedling Construction, Inc.

Greg Stotko  
President

1303 Eddy St Hastings, MN 55033  
(P) 651-480-0055 (F) 651-480-0079  
www.stotkospeedling.com

City Council  
Date: 9/15/09  
Regular  
Item: J-7

ITEM: Review of City policy concerning signs placed within public rights-of-way  
SUBMITTED BY: Kyle Klatt, Planning Director   
REVIEWED BY: Craig Dawson, Interim City Administrator  
Kelli Matzek, City Planner

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#### SUMMARY AND ACTION REQUESTED

The City Council has set aside time on its September 15, 2009 meeting agenda to review the City's policy regarding the enforcement of signs placed within the public right-of-way. The general direction that has been provided thus far to Staff is that there needs to be increased diligence in removing these signs that are illegally placed in right-of-way areas and that in general, these signs have become a public nuisance over time.

The City's Ordinance currently reads as follows with regards to signs placed within the right-of-way:

*Public lands and rights-of-way.* No signs other than governmental signs shall be erected or temporarily placed within any street right-of-way or upon public lands or easements or rights-of-ways without Council approval.

One of the issues that impacts the City's ability to enforce this ordinance is that not all streets in the City have a uniform boulevard area, if any at all. The City Code does allow certain signs to be placed on private property in all zoning districts, so it is important for the City to verify the limits of public boulevards in order to properly enforce the code. In areas where there is a clearly defined boulevard (where sidewalks have been installed for instance), this documentation is not as much of an issue.

In terms of developing a policy on the enforcement of these types of signs, Staff is suggesting that the Council either support or modify the following:

Proposed policy regarding signs on public boulevards:

- The City will remove any sign placed within a public right-of-way that has not received Council approval for placement in said right-of-way.
- All confiscated signs will be held by the City for a maximum of 14 days, after which time the signs will be destroyed.
- The City will not make any special attempts to contact the owner of a sign confiscated from a public right-of-way, but will allow sign owner to pick up their signs during normal business hours at City hall within the two-week retention period.

The City Council may consider providing Staff with some additional direction regarding its interpretation of what is considered a "governmental sign", and if this sign type should include announcements for community events or other messages sponsored by a public entity.



ADDITIONAL INFORMATION:

- Please note that the ordinance language quoted above was not introduced with the recent sign code amendment and has been in place for many years.

RECOMMENDATION:

Staff is recommending that the Council provide direction regarding the policy discussion and interpretations noted above.

ORDER OF BUSINESS:

- Introduction ..... Craig Dawson, City Administrator
- Report by staff..... Kyle Klatt, Planner
- Questions from the Council ..... Mayor & Council Members
- Questions/Comments from the public.....Mayor facilitates
- Call for a Motion  
(required for further discussion; does not  
imply approval of the motion.....Mayor facilitates
- Discussion .....Mayor facilitates
- Action on motion ..... Council

ATTACHMENTS:

1. None

City Council  
Date: 9/15/09  
Regular  
Item: J-8

ITEM: Direction to Planning Commission regarding storage of boats and trailers  
SUBMITTED BY: Kyle Klatt, Planning Director *TKL*  
REVIEWED BY: Craig Dawson, Interim City Administrator  
Kelli Matzek, City Planner

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**SUMMARY AND ACTION REQUESTED**

The City Council has requested time on its next agenda to discuss the City's ordinance regarding the storage of boats and trailers on private property. In order to help the Council with this discussion, Staff has attached the current ordinance for review and will be in attendance to answer any questions regarding this particular ordinance. Staff will forward any changes requested by the City Council to the Planning Commission for action.

**ORDER OF BUSINESS:**

- Introduction ..... Craig Dawson, City Administrator
- Report by staff..... Kyle Klatt, Planner
- Questions from the Council ..... Mayor & Council Members
- Questions/Comments from the public..... Mayor facilitates
- Call for a Motion  
(required for further discussion; does not  
imply approval of the motion ..... Mayor facilitates
- Discussion ..... Mayor facilitates
- Action on motion ..... Council

**ATTACHMENTS:**

1. None



## EXTERIOR STORAGE

### § 150.001 PROHIBITED WITHOUT SCREENING.

(A) *Storage of property in Agricultural and Residential districts.* All personal property shall be stored within a building or fully screened so as not to be visible from adjoining properties and public streets, except for the following:

- (1) Laundry, drying;
- (2) Recreational equipment commonly used in residential yards;
- (3) Construction and landscaping materials, and equipment currently (within a period of 6 months) being used on the premises;
- (4) Off-street parking of licensed operable passenger automobiles and pick-up trucks;
- (5) Boats and trailers less than 25 feet in length, if stored in the rear yard more than 10 feet distant from any property line;
- (6) Merchandise being displayed for sale in accordance with the provisions of the zoning code;
- (7) Farm implements in the AG Zoning District; and/or
- (8) Firewood storage for personal use.

(B) In non-residential districts, exterior storage of personal property may be permitted by conditional use permit provided the property is so stored for purposes relating to a use of the property permitted by the zoning code and will not be contrary to the intent and purpose of the zoning code.

(1997 Code, § 1340.03)

(C) *Existing uses.* Existing uses shall comply with the provisions of §§ 150.001 *et seq.* within a reasonable time, not to exceed 6 months following the enactment of this code.

(1997 Code, § 1340.02) Penalty, see § 10.99

### § 150.002 ALL DISTRICTS.

Lake Elmo, MN Code of Ordinances

(A) In all districts, all refuse, rubbish, or garbage (as defined in § 11.01) shall be kept in an enclosed building or properly contained in a closed container designed for the purposes.

(B) The owner of vacant land shall be responsible for keeping the land free of refuse, rubbish, or garbage.

(1997 Code, § 1340.04) Penalty, see § 10.99

**§ 150.003 UNLICENSED PASSENGER VEHICLES AND TRUCKS.**

Unlicensed passenger vehicles and trucks shall not be parked in residential districts for a period exceeding 7 days.

(1997 Code, § 1340.05) Penalty, see § 10.99