

City of Lake Elmo  
3800 Laverne avenue North

March 15, 2011

7:00 p.m.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ATTENDANCE: Johnston\_\_\_\_Pearson\_\_\_\_Emmons\_\_\_\_Park\_\_\_\_Smith
- D. APPROVAL OF AGENDA: (The approved agenda is the order in which the City Council will do 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. ACCEPT MINUTES:
  - 1. Accept the March 1, 2011 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. *Proposed* Arbor Day Proclamation
  - 4. *Proposed* Library Day Proclamation
  - 5. Consider Lake Elmo Market 3.2% Liquor License Application
  - 6. CSAH 6 (Stillwater Boulevard N.) Bituminous Overlay – Resolution No. 2011-009 Approving a County Project within Municipal Corporate Limits
  - 7. 2011 Sealcoat Project: Agreement to Obtain Street Seal Coating Services with West Lakeland Township

J. REGULAR AGENDA:

8. Update from Ms. Ginny Holder, Ramsey/Washington Suburban Cable Commission, Representative
9. 2011 Street & Water Quality Improvements – Approval of Plans & Specs and Order Advertisement for Bids; Resolution No. 2011-010
10. Lake Elmo Avenue Infrastructure Project – I-94 to 30<sup>th</sup> Street – Approval of Plans & Specs and Order Advertisement for Bids; Resolution No. 2011-011

K. REPORTS AND ANNOUNCEMENTS:

(These are verbal updates and do not have to be formally added to the agenda.)

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

L. Adjourn

*\*\* A social gathering may or may not be held at the Lake Elmo Inn following the meeting. \*\**

**DRAFT**

City of Lake Elmo  
City Council Minutes

March 1, 2011

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

PRESENT: Mayor Johnston and Council Members Emmons, Pearson and Smith  
Absent: Council Member Park

Also Present: Administrator Messelt, Planners Klatt and Matzek, City Attorney Snyder, Finance Director Bouthilet and City Clerk Lumby

APPROVAL OF AGENDA:

*MOTION: Council Member Smith moved to approve the March 1, 2011 City Agenda, as amended by moving Agenda Item 9 and 10 to the Consent Agenda. Mayor Johnston seconded the motion. The motion passed 4-0.*

ACCEPTED MINUTES:

The City Council accepted the February 15 and February 17<sup>th</sup> City Council minutes, by consensus.

PUBLIC COMMENTS/INQUIRIES: None

CONSENT AGENDA:

*MOTION: Council Member Smith moved to approve the Consent Agenda and Agenda Items #9 and #10. Council Member Pearson seconded the motion. The motion passed 4-0.*

- Approve payment of disbursements and payroll in the amount of \$354,065.89
- Approve 2011 Accounting Services Contract with C & J Consulting Services, as amended to include a second hourly rate of \$40 per hour for certain higher-level, project specific activities, as identified.
- Personnel Committee Recommendation: Authorize the City Administrator to solicit bids and contract for Professional Services and address certain organizational and personnel-related matters as identified by the Personnel and Budget/Finance Subcommittees

REGULAR AGENDA:

Firefighter Relief Association Drawing

District Fire Chief and President of Fireman's Relief Association, Brad Winkels assisted the City Council in conducting the annual drawing for the Lake Elmo Firefighters Relief Association.

Consider Donation and Budget Adjustment/Designation for Washington County 4H Federation

Dan Dolan requested a \$500 donation to the Washington County 4H Federation for support for the annual programming provided by 4H.

*MOTION: Council Member Smith moved to approve Budget Adjustment 2011-002 in the amount of \$500 from Mayor and Council Discretionary to Washington County 4H Federation. Council Member Emmons seconded the motion. The motion passed 3-1. (Council Member Pearson voting against).*

Rezoning Map Amendment; Rezoning of Two Properties off of 27<sup>th</sup> Street

Kelli Matzek, Planner, requested Council consider a zoning map amendment application, which was discussed and tabled during the February 15<sup>th</sup> Council meeting. The applicant, Lake Elmo Bank, is requesting to rezone two vacant properties from RR (Rural Residential) to R-1 (One Family Residential) which would reduce the minimum lot size requirement from ten acres to one and a half acres. This would bring the lots into compliance for minimum lot size with the potential result of two buildable lots.

Based on Council direction from February 15<sup>th</sup> including discussion with the Valley Branch Watershed District, the following options were presented:

Option 1: Approve Zoning Map Amendment with conditions recommended by Planning Commission; leaving driveway access in its current location off of 28<sup>th</sup> Street.

Option 2: Approve Zoning Map amendment with conditions as originally recommended by Planning Staff, along with certain subsequent considerations; moving all driveway access to 27<sup>th</sup> Street N.

City staff recommended approval of the zoning map amendment to allow the rezoning, as it is in conformance with the Comprehensive Plan (Option Two) with Conditions.

1. The applicants must provide documentation to the satisfaction of the City Attorney that all property line discrepancies be resolved.
2. Any future building permit is subject to a full review at the time of submission.
3. The applicants shall provide a driveway access easement on the northern property and city-owned property to allow access for the southern property to 28<sup>th</sup> Street North.
4. The applicants of future property owners are encouraged to work with the City and the Valley Branch Watershed District on a potential land trade, at a cost (\$500-\$1000) to the City.

Jim Palecek, 2798 Jamley Avenue N., provided pictures of the flooding he has incurred on his property. He said if the Valley Branch Watershed District put in a bigger culvert and cleared the culvert out more often the flooding would not occur. He supported the proposed land swap.

The Council encouraged the future property owners to work with the City and the VBWD on a potential land trade and on the siting of the home being less opposing to the neighbor. Planning Director stated the survey, new legal description; recording would be done at City expense at a cost of \$500-\$1000. Klatt will approach the VBWD to share half the cost.

*MOTON: Mayor Johnston moved to adopt Ordinance 08-039 (Option 2) approving a Zoning Map Amendment for Two Properties Off of 27<sup>th</sup> and 28<sup>th</sup> Street From Rural Residential To R-1: PID: 21-029-21-14-0003 and 21-029-021-014-0002. Council Member Pearson seconded the motion. Motion passed 4-0.*

*MOTION: Council Member Smith moved to direct staff to pursue land swap with new property owners to coincide with diagrams presented prior to the purchase agreement being signed. Council Member Pearson seconded the motion. The motion passed 4-0.*

#### Reconsideration of Sub-Committee Assignments

At the request of Council Members Smith, Emmons and Pearson, the City Council was requested to reconsider appointments to the 2011 Council Subcommittees. Council Member Emmons noted he would be willing to stay on the Budget/Finance Subcommittee and Council Member Pearson indicated his interest in serving on same Subcommittee.

The City Council made no change to the assignments to the following Council Subcommittees: Budget/Finance: Smith and Pearson, Human Resources: Emmons and Mayor Johnston, Job Growth/Business: Park and Pearson, and Regional and State Affairs: Smith and Emmons

#### Resolution Supporting CTIB – Request by Gateway Corridor Commission

The City Council was requested to consider Resolution No. 2011-006, supporting Washington County's continued participation in the Counties Transportation Improvement Board (CTIB), as requested by the Gateway Corridor Commission.

This item was handed out at the Council Meeting.

*MOTION: Council Member Smith moved to delay action on this agenda item for sufficient time for Council review and until there is a full Council at the March 8<sup>th</sup> Council Meeting. Council Member Pearson seconded the motion. The motion passed 4-0.*

### Clarification on Surface Water Utility – Ag Properties

The 2010 Budget/Finance Subcommittee recommended the City Administrator be authorized to prepare for consideration of an amendment to the City's Storm Water Management Utility Ordinance to address the calculation of the utility factor for parcels classified as Agriculture.

The existing ordinance language defines a utility factor of 6 applied to each identified parcel, while current and past billing practice has been to utilize a utility factor of 3 applied to each parcel, based upon a per-acre calculation. Historical research identifies the latter practice of per acre charges to be more proportionate to smaller agricultural parcels. The Sub-committee recommended that an amendment to the Ordinance be prepared to codify the current utilization of the per-acre calculation. In doing so, the Council will also be afforded with options to leave the current utility factor at 3 (via amendment), revert to the existing Ordinance provision of 6, or structure a graduated increase from 3 to 6.

The City Administrator noted that mailing of annual storm water bills for 2010 of this classification are being held, pending Council direction. The 2009 storm water bills were sent out in December 2009.

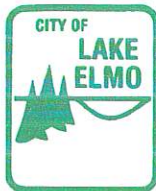
*MOTION: Council Member Emmons moved to authorize the City Administrator to prepare for consideration an amendment to the City's Storm Water Management Utility Ordinance to address the calculation of the utility factor for parcels classified as agriculture, as identified by the Budget/Finance Subcommittee. Council Member Smith seconded the motion. The motion passed 4-0.*

### Update on the Early Childhood Family Center

City Administrator Messelt reported that School District changes to the Joint Powers Agreements last week went beyond the scope of authority vested by the City Council to the Mayor, Administrator and Attorney. As a result, the School District did not take action on either proposed JPAs at its February 24th meeting. Lake Elmo Staff met with the School District staff on Monday, February 28<sup>th</sup>, at which time significant progress was made. It is currently proposed that, if feasible, a consensus JPA document would be completed and presented for Council discussion/action on March 8<sup>th</sup> and School District discussion/action on March 10th. The proposed project timeline would be amended accordingly, though the Public Hearing with the Planning Commission regarding the proposed re-zoning would proceed on March 7th, as advertized.

This City Council meeting was recessed at 8:43 p.m. until March 8, 2011 at 7:00 p.m.

Respectfully submitted by Sharon Lumby, City Clerk



## MAYOR & COUNCIL COMMUNICATION

*Amended*

DATE: 03/15/2011

CONSENT

ITEM #: 2

MOTION *as part of Consent Agenda*

**AGENDA ITEM:** Approve Disbursements in the Amount of \$ 130,265.07

**SUBMITTED BY:** Tom Bouthilet, Finance Director

**THROUGH:** Bruce Messelt, City Administrator

**REVIEWED BY:** City Staff

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**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$130,265.07 No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

**BACKGROUND INFORMATION:** The City of Lake Elmo has fiduciary authority and responsibility to conduct normal business operation. Below is a summary of current claims to be disbursed to be paid in accordance with State law and City policies and procedures.

Claim #	Amount	Description
ACH	\$ 7,135.75	Payroll Taxes to IRS 03/10/2011
ACH	\$ 1,186.40	Payroll Taxes to MN Dept. of Revenue 03/10/2011
ACH	\$ 3,914.05	Payroll Retirement to PERA 03/10/2011
DD3278 – DD3314	\$ 24,174.00	Payroll Dated 03/10/2011 (Direct Deposit)
36836 – 36841	\$ 15,935.14	Payroll Dated 03/10/2011
36842– 36888	\$ 75,514.38	Accounts Payable Dated 03/15/2011
36889 – 36891	\$ 2,405.35	Accounts Payable Dated 03/15/2011 Additional
<b>TOTAL</b>	<b>\$ 130,265.07</b>	

**STAFF REPORT:** City staff has complied and reviewed the attached set of claims. All appears to be in order and consistent with City budgetary and fiscal policies and Council direction

**RECOMMENDATION:** It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$130,265.07

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda or a particular claim from this item and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

**“Move to approve the March 15th, 2011, Disbursements as  
Presented *[and modified]* herein.”**

**ATTACHMENTS:**

1. Accounts Payable Dated 03/15/2011

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

- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates



# MALKERSON GUNN MARTIN LLP

1900 U.S. BANK PLAZA SOUTH TOWER  
220 SOUTH SIXTH STREET  
MINNEAPOLIS, MINNESOTA 55402  
TELEPHONE 612-344-1111  
FACSIMILE 612-344-1414

City of Lake Elmo  
Attention Bruce Messelt  
City Administrator  
3800 Laverne Avenue North  
Lake Elmo MN 50042-9629

Page: 1  
March 10, 2011  
Account No: 2426-001B  
Statement No: 21781

PLEASE RETURN THIS PORTION WITH REMITTANCE

Legal Opinion Letter to City of Lake Elmo

**Payments received after 03/10/2011  
are not included on this statement.**

## Fees

		Hours	
02/24/2011	BDM Review e-mails; discussion with Tim Keane regarding case.	0.30	
02/25/2011	TJK Conference with Bruce Messelt and Bruce Malkerson regarding ISD 848 opinion; review client documents; research Minnesota Statutes regarding joint powers agreements.	0.80	
03/03/2011	TJK Conference with David Snyder, LMC, regarding joint powers issues; research cases and Minnesota Statutes.	1.40	
03/08/2011	TJK Prepare opinion letter regarding ISD 834 Joint Powers Agreement; conference with client.	2.70	
	TJK Consult with John Dean and Corrine Heine regarding ISD Joint Powers Agreement.	0.80	
	BDM Review letter; discussion with Tim Keane regarding same.	0.20	
	For Current Services Rendered	6.20	2,319.00

## Recap

Timekeeper	Hours	Rate	Total
Bruce D. Malkerson	0.50	\$415.00	\$207.50
Timothy J. Keane	1.40	295.00	413.00
Timothy J. Keane	4.30	395.00	1,698.50

MALKERSON GUNN MARTIN LLP

1900 U.S. BANK PLAZA SOUTH TOWER • 220 SOUTH SIXTH STREET • MINNEAPOLIS, MINNESOTA 55402

City of Lake Elmo

Page: 2

March 10, 2011

Account No: 2426-001B

Statement No: 21781

Legal Opinion Letter to City of Lake Elmo

Total Current Work

2,319.00

Balance Due

\$2,319.00



## MAYOR & COUNCIL COMMUNICATION

DATE: 03/15/2011  
CONSENT  
ITEM #: 2  
MOTION *as part of Consent Agenda*

**AGENDA ITEM:** Approve Disbursements and Payroll in the Amount of \$ 127,859.72

**SUBMITTED BY:** Tom Bouthilet, Finance Director

**THROUGH:** Bruce Messelt, City Administrator

**REVIEWED BY:** City Staff

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$127,859.72. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

**BACKGROUND INFORMATION:** The City of Lake Elmo has fiduciary authority and responsibility to conduct normal business operation. Below is a summary of current claims to be disbursed to be paid in accordance with State law and City policies and procedures.

Claim #	Amount	Description
ACH	\$ 7,135.75	Payroll Taxes to IRS 03/10/2011
ACH	\$ 1,186.40	Payroll Taxes to MN Dept. of Revenue 03/10/2011
ACH	\$ 3,914.05	Payroll Retirement to PERA 03/10/2011
DD3278 – DD3314	\$ 24,174.00	Payroll Dated 03/10/2011 (Direct Deposit)
36836 – 36841	\$ 15,935.14	Payroll Dated 03/10/2011
36842 – 36888	\$ 75,514.38	Accounts Payable Dated 03/15/2011
<b>TOTAL</b>	<b>\$ 127,859.72</b>	

**STAFF REPORT:** City staff has compiled and reviewed the attached set of claims. All appears to be in order and consistent with City budgetary and fiscal policies and Council direction

**RECOMMENDATION:** It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$127,859.72.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda or a particular claim from this item and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

**“Move to approve the March 15th, 2011, Disbursements and Payroll, as presented *[and modified]* herein.”**

**ATTACHMENTS:**

1. Accounts Payable Dated 03/15/2011

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

- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

# Accounts Payable To Be Paid Proof List

User: joan z  
Printed: 03/10/2011 - 11:09 AM  
Batch: 002-03-2011

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ALLIED Allied Electrical Cont., Inc.										
1492	02/15/2011	500.00	0.00	03/15/2011	Install Outlets for Monitors for		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg				IAMRESP					
	1492 Total:	500.00								
	ALLIED Total:	500.00								
ARAM Aramark, Inc.										
629-7185960	02/21/2011	68.44	0.00	03/15/2011	Monthly Rug Service Station #1		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
	629-7185960 Total:	68.44								
629-7185962	02/21/2011	69.07	0.00	03/15/2011	Monthly Rug Service Station #2		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
	629-7185962 Total:	69.07								
629-7188908	02/24/2011	21.29	0.00	03/15/2011	Uniforms		-		No	0000
101-430-3100-44170	Uniforms									
	629-7188908 Total:	21.29								
629-7190726	02/28/2011	115.38	0.00	03/15/2011	Linen City Hall		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	629-7190726 Total:	115.38								
629-7190727	02/28/2011	47.63	0.00	03/15/2011	Linen City Hall Annex		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	629-7190727 Total:	47.63								
629-7193656	03/03/2011	21.29	0.00	03/15/2011	Uniforms		-		No	0000
101-430-3100-44170	Uniforms									
	629-7193656 Total:	21.29								
	ARAM Total:	343.10								
ASPENMI Aspen Mills, Inc.										
106262	03/03/2011	89.03	0.00	03/15/2011	Sew, Uniform Patches		-		No	0000
101-420-2220-44170	Uniforms									
	106262 Total:	89.03								
106263	03/03/2011	143.00	0.00	03/15/2011	Medic Coveralls		-		No	0000
101-420-2220-42400	Small Tools & Equipment									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
106263 Total:		143.00								
CM2299	03/03/2011	-35.27	0.00	03/15/2011	Credit Memo		-		No	0000
101-420-2220-42400	Small Tools & Equipment									
CM2299 Total:		-35.27								
ASPENMI Total:		196.76								
BOYER Boyer Trucks										
494937	02/28/2011	94.99	0.00	03/15/2011	Oil hub cap (00-1, fan motor 86-1		-		No	0000
101-430-3125-44040	Repairs/Maint Eqpt									
494937 Total:		94.99								
BOYER Total:		94.99								
C&J CONS C & J Consulting Services, LLP										
Feb 2011	03/03/2011	3,775.00	0.00	03/15/2011	Monthly Acctg Services - February 2011		-		No	0000
101-410-1520-43150	Contract Services									
Feb 2011 Total:		3,775.00								
C&J CONS Total:		3,775.00								
COMCAST COMCAST										
02/28/2011	02/28/2011	7.89	0.00	03/15/2011	Monthly Service		-		No	0000
101-420-2220-44300	Miscellaneous									
02/28/2011 Total:		7.89								
COMCAST Total:		7.89								
COMPENSA Compensation Consultants, Ltd										
03/02/2011	03/02/2011	40.00	0.00	03/15/2011	Monthly Admin Fee - March 2011		-		No	0000
101-410-1320-44300	Miscellaneous									
03/02/2011 Total:		40.00								
COMPENSA Total:		40.00								
CTYROSEV City of Roseville										
0214465	03/03/2011	1,551.58	0.00	03/15/2011	Monthly IT Services Feb 2011		-		No	0000
101-410-1450-43180	Information Technology/Web									
0214465 Total:		1,551.58								
0214487	03/03/2011	985.57	0.00	03/15/2011	2011 laserfiche Software Upgrade		-		No	0000
101-410-1450-43180	Information Technology/Web									
0214487	03/03/2011	226.27	0.00	03/15/2011	VGA Splitter Fire Fighter Response		-		No	0000
101-420-2220-42400	Small Tools & Equipment									
0214487 Total:		1,211.84								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CTYROSEV Total:		2,763.42								
<hr/>										
CTYSTILL City of Stillwater										
03/02/2011	03/02/2011	1,243.20	0.00	03/15/2011	Fire Study		-		No	0000
101-420-2220-44330	Dues & Subscriptions									
	03/02/2011 Total:	1,243.20								
	CTYSTILL Total:	1,243.20								
<hr/>										
ECKBERG Eckberg Lamers Briggs Wolff										
110215	02/28/2011	13,988.50	0.00	03/15/2011	Legal Services - Civil		-		No	0000
101-410-1320-43040	Legal Services									
	110215 Total:	13,988.50								
Feb 11	02/28/2011	3,777.14	0.00	03/15/2011	Legal Services Prosecution - Feb 2011		-		No	0000
101-420-2150-43045	Attorney Criminal									
	Feb 11 Total:	3,777.14								
	ECKBERG Total:	17,765.64								
<hr/>										
EMMONS A Emmons Alex										
03/01/2011	03/01/2011	55.00	0.00	03/15/2011	Cabled Live CC Meeting 3/1/11		-		No	0000
101-410-1450-43620	Cable Operations									
	03/01/2011 Total:	55.00								
	EMMONS A Total:	55.00								
<hr/>										
ENVENTIS ENVENTIS										
737500	03/13/2011	459.20	0.00	03/15/2011	Telephone/Data Service - PW March 2011		-		No	0000
101-430-3100-43210	Telephone									
	737500 Total:	459.20								
738507	03/01/2011	557.31	0.00	03/15/2011	Telephone/Data Service CH Feb 2011		-		No	0000
101-410-1940-43210	Telephone									
	738507 Total:	557.31								
	ENVENTIS Total:	1,016.51								
<hr/>										
KDV Kern DeWenter Viere Ltd										
12289	02/28/2011	3,915.00	0.00	03/15/2011	Financial Services February 2011		-		No	0000
101-410-1520-43150	Contract Services									
	12289 Total:	3,915.00								
	KDV Total:	3,915.00								
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Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
LEAGMN League of MN Cities										
149782	03/02/2011	80.00	0.00	03/15/2011	Joint Legislative Conference		-		No	0000
101-410-1320-44370	Conferences & Training									
	149782 Total:	80.00								
	LEAGMN Total:	80.00								
LEOIL Lake Elmo Oil, Inc.										
02/28/2011	02/28/2011	200.78	0.00	03/15/2011	Fuel		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
	02/28/2011 Total:	200.78								
110217	02/17/2011	40.25	0.00	03/15/2011	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
	110217 Total:	40.25								
	LEOIL Total:	241.03								
Lillie Newspapers Inc. Lillie Suburban										
02/28/2011	02/28/2011	30.00	0.00	03/15/2011	Public Notice - PZ 3/7/11		-		No	0000
101-410-1320-43510	Legal Publishing									
	02/28/2011 Total:	30.00								
	Lillie Total:	30.00								
LOFF Loffler Companies, Inc.										
1221662	03/02/2011	144.91	0.00	03/15/2011	Copy Machines Overage & Base March 11		-		No	0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
	1221662 Total:	144.91								
	LOFF Total:	144.91								
MARONEYS Maroney's Sanitation, Inc										
377302	03/04/2011	108.32	0.00	03/15/2011	Waste Removal - City Hall		-		No	0000
101-410-1940-43840	Refuse									
377302	03/04/2011	47.68	0.00	03/15/2011	Waste Removal - Fire		-		No	0000
101-420-2220-43840	Refuse									
377302	03/04/2011	207.82	0.00	03/15/2011	Waste Removal - Public Works		-		No	0000
101-430-3100-43840	Refuse									
377302	03/04/2011	207.82	0.00	03/15/2011	Waste Removal - Parks		-		No	0000
101-450-5200-43840	Refuse									
	377302 Total:	571.64								
	MARONEYS Total:	571.64								



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MARVS Marv's Professional Tools										
234719	02/24/2011	51.76	0.00	03/15/2011	3/8 Universal		-			No 0000
101-430-3100-42400	Small Tools & Minor Equipment									
234719	02/24/2011	23.00	0.00	03/15/2011	Floor Squeegee		-			No 0000
101-430-3100-42120	Fuel, Oil and Fluids									
	234719 Total:	74.76								
	MARVS Total:	74.76								
METCOU Metropolitan Council										
0000954254	03/02/2011	1,282.98	0.00	03/15/2011	Monthly Wastewater Svs - April 2011		-			No 0000
602-495-9450-43820	Sewer Utility - Met Council									
	0000954254 Total:	1,282.98								
	METCOU Total:	1,282.98								
METRO MU METROPOLITAN MUNICIPALITIES ASSOCI										
34	02/21/2011	3,313.00	0.00	03/15/2011	Annual Membership Dues		-			No 0000
101-410-1320-44330	Dues & Subscriptions									
	34 Total:	3,313.00								
	METRO MU Total:	3,313.00								
MNDOH MN Department of Health										
1820009	02/16/2011	1,508.00	0.00	03/15/2011	1st Quarter Water Supply Connection Fee		-			No 0000
601-494-9400-43820	Water Utility									
	1820009 Total:	1,508.00								
	MNDOH Total:	1,508.00								
MORTON Morton Salt, Inc.										
623572	02/23/2011	13,992.97	0.00	03/15/2011	Road Salt		-			No 0000
101-430-3125-42290	Sand/Salt									
	623572 Total:	13,992.97								
624883	02/24/2011	3,186.40	0.00	03/15/2011	Road Salt		-			No 0000
101-430-3125-42290	Sand/Salt									
	624883 Total:	3,186.40								
	MORTON Total:	17,179.37								
MSFCB MN Fire Service Cert. Board										
741	02/23/2011	150.00	0.00	03/15/2011	Firefighter II test, Goodspeed, Haire		-			No 0000
101-420-2220-44370	Conferences & Training									
	741 Total:	150.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
MSFCB Total:		150.00								
OAKD-HIS Oakdale Lake Elmo Historical Socie										
03/15/2011	03/15/2011	500.00	0.00	03/15/2011	Donation To Lake Elmo Historical		-		No	0000
101-410-1110-44300	Miscellaneous				Society					
03/15/2011 Total:		500.00								
OAKD-HIS Total:		500.00								
ONECALL Gopher State One Call										
6228	02/16/2011	30.55	0.00	03/15/2011	Line Locates - January 2011		-		No	0000
101-430-3100-43150	Contract Services									
6228 Total:		30.55								
8183	03/03/2011	30.45	0.00	03/15/2011	Line Locates - February 2011		-		No	0000
101-430-3100-43150	Contract Services									
8183 Total:		30.45								
ONECALL Total:		61.00								
PITNEYRE Reserve Account Pitney Bowes										
01/31/2011	01/31/2011	500.00	0.00	03/15/2011	Postage		-		No	0000
101-410-1320-43220	Postage									
01/31/2011	01/31/2011	500.00	0.00	03/15/2011	Postage		-		No	0000
601-494-9400-43220	Postage									
01/31/2011 Total:		1,000.00								
PITNEYRE Total:		1,000.00								
PLUNKETT Plunkett's Pest Control										
2226364	03/01/2011	80.16	0.00	03/15/2011	Pest Control Service - City Hall		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
2226364 Total:		80.16								
PLUNKETT Total:		80.16								
PRAXAIR PRAXAIR DISTRIBUTION INC.										
39022333	02/25/2011	193.84	0.00	03/15/2011	CO2 Acetylene, Clamps, Weld Glove		-		No	0000
101-430-3100-42150	Shop Materials									
39022333 Total:		193.84								
PRAXAIR Total:		193.84								
PRESSA Anastasia Press										
03/08/2011	03/08/2011	41.25	0.00	03/15/2011	Cabled CC Meeting 3/8/11		-		No	0000
101-410-1450-43620	Cable Operations									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
	03/08/2011 Total:	41.25								
	PRESSA Total:	41.25								
<hr/>										
RIVRCOOP River Country Cooperative										
02/28/2011	02/25/2011	508.57	0.00	03/15/2011	Fuel		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
	02/28/2011 Total:	508.57								
	RIVRCOOP Total:	508.57								
<hr/>										
RUD Prince-Rud Diane										
03/09/2011	03/09/2011	320.00	0.00	03/15/2011	Cleaning City Hall & Annex		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
03/09/2011	03/09/2011	240.00	0.00	03/15/2011	Cleaning Fire Hall		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
03/09/2011	03/09/2011	32.64	0.00	03/15/2011	Supplies		-		No	0000
101-410-1940-42110	Cleaning Supplies									
	03/09/2011 Total:	592.64								
	RUD Total:	592.64								
<hr/>										
S&T S&T Office Products, Inc.										
010L8316	02/21/2011	46.81	0.00	03/15/2011	CC Name Plates - 4		-		No	0000
101-410-1320-42000	Office Supplies									
	010L8316 Total:	46.81								
02/23/2011	02/23/2011	39.54	0.00	03/15/2011	Office Supplies - Bus Cards K. Matzek		-		No	0000
101-410-1320-42000	Office Supplies									
	02/23/2011 Total:	39.54								
	S&T Total:	86.35								
<hr/>										
SAMSCLUB Sam's Club										
03/03/2011	03/03/2011	39.33	0.00	03/15/2011	Restock Supplies		-		No	0000
101-420-2220-44300	Miscellaneous									
	03/03/2011 Total:	39.33								
2457	03/03/2011	114.90	0.00	03/15/2011	Office Supplies		-		No	0000
101-410-1320-42000	Office Supplies									
	2457 Total:	114.90								
	SAMSCLUB Total:	154.23								
<hr/>										
SCHLOMKA Schlomka										
11408	02/22/2011	210.00	0.00	03/15/2011	Pump Holding Tank PW		-		No	0000
101-430-3100-44010	Repairs/Maint Bldg									
	11408 Total:	210.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
SCHLOMKA Total:		210.00								
<hr/>										
SCHWAAB Schwaab, Inc.										
02/25/2011	02/25/2011	40.70	0.00	03/15/2011	Bruce Messelt - Signature Stamp		-		No	0000
101-410-1320-42000	Office Supplies									
	02/25/2011 Total:	40.70								
2675263	03/01/2011	81.00	0.00	03/15/2011	(2) Plan Review Stamps		-		No	0000
101-420-2400-42000	Office Supplies									
	2675263 Total:	81.00								
A91883	03/02/2011	14.03	0.00	03/15/2011	Date Stamp - Ink Refill		-		No	0000
101-410-1320-42000	Office Supplies									
	A91883 Total:	14.03								
	SCHWAAB Total:	135.73								
<hr/>										
SPRING SPRINGSTED, INC.										
1	03/03/2011	1,250.00	0.00	03/15/2011	City Council Workshop		-		No	0000
101-410-1110-44370	Conferences & Training									
	1 Total:	1,250.00								
	SPRING Total:	1,250.00								
<hr/>										
STILLGAZ Stillwater Gazette										
3092011	03/09/2011	109.00	0.00	03/15/2011	Annual Subscription		-		No	0000
101-410-1320-44330	Dues & Subscriptions									
	3092011 Total:	109.00								
	STILLGAZ Total:	109.00								
<hr/>										
Symbol Symbol Arts										
0142272-IN	02/15/2011	160.00	0.00	03/15/2011	Badges		-		No	0000
101-420-2220-44170	Uniforms									
	0142272-IN Total:	160.00								
	SYmbol Total:	160.00								
<hr/>										
USPOST United States Postal Service										
03/01/2011	03/01/2011	185.00	0.00	03/15/2011	Yearly Acct 19 Renewal 2011-2012		-		No	0000
101-410-1320-43220	Postage									
	03/01/2011 Total:	185.00								
	USPOST Total:	185.00								
<hr/>										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
VISA-SL VISA										
1	03/26/2011	80.00	0.00	03/15/2011	PZ Books		-		No	0000
101-410-1910-44350	Books									
1	03/26/2011	352.12	0.00	03/15/2011	Pioneer Press PH Notice PZ		-		No	0000
101-410-1320-43510	Legal Publishing									
1	03/26/2011	317.81	0.00	03/15/2011	Council Retreat - Wildwood Lodge		-		No	0000
101-410-1110-44370	Conferences & Training									
1	03/26/2011	47.21	0.00	03/15/2011	Red Savoy Pizza - ECFC Disc		-		No	0000
101-410-1320-44300	Miscellaneous									
1	03/26/2011	63.23	0.00	03/15/2011	Red Savoy Pizza - Council WSHP Meet		-		No	0000
101-410-1320-44300	Miscellaneous									
	1 Total:	860.37								
	VISA-SL Total:	860.37								
VISALE40 VISA										
8040	02/28/2011	15.00	0.00	03/15/2011	Annual Fee		-		No	0000
101-410-1520-44300	Miscellaneous									
	8040 Total:	15.00								
	VISALE40 Total:	15.00								
WASH4H Extension Service Washington Count										
Chk Req	01/25/2011	500.00	0.00	03/15/2011	Washington 4H Donation		-		No	0000
101-410-1110-44330	Dues & Subscriptions									
	Chk Req Total:	500.00								
	WASH4H Total:	500.00								
WASHFIRE FIRE CHIEFS ASSOCIATION WASHINGTON										
03/03/2011	03/03/2011	50.00	0.00	03/15/2011	Annual Dues		-		No	0000
101-420-2220-44330	Dues & Subscriptions									
	03/03/2011 Total:	50.00								
	WASHFIRE Total:	50.00								
XCEL Xcel Energy										
51-4504807-7	03/09/2011	292.60	0.00	03/15/2011	Lights at Legion park		-		No	0000
101-450-5200-43810	Electric Utility									
51-4504807-7	03/09/2011	31.34	0.00	03/15/2011	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
51-4504807-7	03/09/2011	86.29	0.00	03/15/2011	Lift Station		-		No	0000
101-430-3160-43810	Street Lighting									
	51-4504807-7 Total:	410.23								
51-4572945-7	03/09/2011	30.32	0.00	03/15/2011	Street Lights		-		No	0000
101-430-3160-43810	Street Lighting									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
51-4572945-7	Total:	30.32								
51-4576456-3	03/09/2011	975.07	0.00	03/15/2011	Fire Station 2		-		No	0000
101-420-2220-43810	Electric Utility									
51-4576456-3	Total:	975.07								
51-4580376-5	03/09/2011	1,252.92	0.00	03/15/2011	City Hall		-		No	0000
101-410-1940-43810	Electric Utility									
51-4580376-5	03/09/2011	31.85	0.00	03/15/2011	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
51-4580376-5	Total:	1,284.77								
51-4733556-8	03/09/2011	9.92	0.00	03/15/2011	Tennis Courts		-		No	0000
101-450-5200-43810	Electric Utility									
51-4733556-8	Total:	9.92								
51-5044219-0	03/09/2011	350.79	0.00	03/15/2011	Parks Building		-		No	0000
101-450-5200-43810	Electric Utility									
51-5044219-0	Total:	350.79								
51-5275289-3	03/09/2011	9.93	0.00	03/15/2011	Pebble Park		-		No	0000
101-450-5200-43810	Electric Utility									
51-5275289-3	Total:	9.93								
51-5356323-8	03/09/2011	1,301.10	0.00	03/15/2011	Wells 1 & 2		-		No	0000
601-494-9400-43810	Electric Utility									
51-5356323-8	Total:	1,301.10								
51-5522332-2	03/09/2011	43.21	0.00	03/15/2011	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
51-5522332-2	Total:	43.21								
51-5747685-4	03/09/2011	172.33	0.00	03/15/2011	Arts Center		-		No	0000
101-450-5200-43810	Electric Utility									
51-5747685-4	Total:	172.33								
51-5916043-7	03/09/2011	18.84	0.00	03/15/2011	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
51-5916043-7	Total:	18.84								
51-6429583-8	03/09/2011	16.28	0.00	03/15/2011	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
51-6429583-8	Total:	16.28								
51-6433976-2	03/09/2011	686.50	0.00	03/15/2011	Fire Station 1		-		No	0000
101-420-2220-43810	Electric Utility									
51-6433976-2	Total:	686.50								
51-6625457-1	03/09/2011	344.97	0.00	03/15/2011	Legion Park		-		No	0000
101-450-5200-43810	Electric Utility									
51-6625457-1	Total:	344.97								
51-6736544-2	03/09/2011	1,912.20	0.00	03/15/2011	Street Lights		-		No	0000
101-430-3160-43810	Street Lighting									
51-6736544-2	Total:	1,912.20								
51-6928283-3	03/09/2011	27.61	0.00	03/15/2011	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
51-6928283-3	Total:	27.61								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
51-8126093-5	03/09/2011	162.60	0.00	03/15/2011	Water Tower 2		-			No 0000
601-494-9400-43810	Electric Utility									
	51-8126093-5 Total:	162.60								
51-8711719-3	03/09/2011	21.52	0.00	03/15/2011	Speed Sign Hwy 5		-			No 0000
101-430-3160-43810	Street Lighting									
	51-8711719-3 Total:	21.52								
57-7538112-1	03/09/2011	4,158.72	0.00	03/15/2011	Public Works		-			No 0000
101-430-3160-43810	Street Lighting									
	57-7538112-1 Total:	4,158.72								
	XCEL Total:	11,936.91								
YOCUM Yocum Oil Company, Inc.										
199412	02/21/2011	160.69	0.00	03/15/2011	Bulk Oil Tanks		-			No 0000
101-430-3100-44010	Repairs/Maint Bldg									
	199412 Total:	160.69								
	YOCUM Total:	160.69								
ZACK Zack's, Inc.										
26618	03/03/2011	170.00	0.00	03/15/2011	Flat Towels, Toilet Paper City Hall		-			No 0000
101-410-1940-42110	Cleaning Supplies									
26618	03/03/2011	83.98	0.00	03/15/2011	Multi Fold Towels		-			No 0000
101-410-1940-42110	Cleaning Supplies									
26618	03/03/2011	35.48	0.00	03/15/2011	2 Shovels City Hall		-			No 0000
101-410-1940-42110	Cleaning Supplies									
26618	03/03/2011	141.98	0.00	03/15/2011	Misc Shop Supplies		-			No 0000
101-430-3100-42150	Shop Materials									
	26618 Total:	431.44								
	ZACK Total:	431.44								
	Report Total:	75,514.38								



## MAYOR & COUNCIL COMMUNICATION

DATE: 3/15/11

**CONSENT**

ITEM #: 3

**PROCLAMATION**

**AGENDA ITEM:** Approval and Reading of Arbor Day Proclamation

**SUBMITTED BY:** Dr. Kathy Widin, Forestry Consultant  
Mike Bouthilet, Public Works Supervisor

**THROUGH:** Bruce A. Messelt, City Administrator *BAW*

**REVIEWED BY:** City Clerk

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**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is respectfully requested to approve the Arbor Day Proclamation for 2011. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

**BACKGROUND INFORMATION:** The City of Lake Elmo has authority to make public proclamations, when appropriate and consistent with applicable City policy, state statutes and federal law. Traditionally, the City has made an annual Proclamation in observance of Arbor Day.

**STAFF REPORT:** City staff has prepared and reviewed the attached Proclamation. All appears to be in order and consistent with policies and past Council action. It is suggested that, following approval of the Consent Agenda, or this item, if separately considered, Mayor Johnston read the attached Proclamation.

**RECOMMENDATION:** It is recommended that the City Council approve, as part of the Consent Agenda, the proposed Arbor Day Proclamation for 2011

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

***“Move to proclaim April 29, 2011 as Arbor Day in the City of Lake Elmo and the month of May, 2011 to be Arbor Month, and request Mayor Johnston to publically read said Proclamation.”***



**ATTACHMENTS:** *Proposed Arbor Day Proclamation for 2011*

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

- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

## **CITY OF LAKE ELMO**

### **ARBOR DAY PROCLAMATION**

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

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

**WHEREAS:** Human activities such as construction damage, pollution and neglect, as well as climatic extremes, disease and insects threaten our trees, creating the need for concerted action to ensure the future of community and rural forests in our state and throughout the country; and

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

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

**NOW, THEREFORE** I, Dean Johnston, Mayor of the City of Lake Elmo, do hereby proclaim April 29, 2011 to be

### **ARBOR DAY**

and the month of May, 2011 to be **ARBOR MONTH** in Lake Elmo, Minnesota.

Signed this 15<sup>th</sup> day of March, 2011

\_\_\_\_\_  
Dean Johnston, Mayor

**Tree City U.S.A.**



## MAYOR & COUNCIL COMMUNICATION

DATE: 3/15/2011  
CONSENT  
ITEM #: 4  
PROCLAMATION

**AGENDA ITEM:** Approval and Reading of Library Week Proclamation

**SUBMITTED BY:** Mayor Dean Johnston  
Friends of the Lake Elmo Library

**THROUGH:** Bruce A. Messelt, City Administrator *BAM*

**REVIEWED BY:** Sharon Lumby, City Clerk

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**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is respectfully requested to approve the National Library Week Proclamation for 2011. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

**BACKGROUND INFORMATION:** The City of Lake Elmo has authority to make public proclamations, when appropriate and consistent with applicable City policy, state statutes and federal law. The City has not made proclamations in observance of National Library Week in the past.

**STAFF REPORT:** City staff has prepared and reviewed the attached Proclamation. All appears to be in order and consistent with policies and past Council action. It is suggested that, following approval of the Consent Agenda, or this item, if separately considered, Mayor Johnston read the attached Proclamation.

**RECOMMENDATION:** It is recommended that the City Council approve, as part of the Consent Agenda, the proposed National Library Week Proclamation for 2011.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

***“Move to proclaim April 10th -16th, 2011 as National Library Week in the City of Lake Elmo, and request Mayor Johnston to publically read said Proclamation.”***

**ATTACHMENTS:** *Proposed National Library Week Proclamation for 2011*

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

- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

## NATIONAL LIBRARY WEEK 2011 PROCLAMATION

**WHEREAS**, libraries provide free access to all – from books and online resources for families to library business centers that help support entrepreneurship and retraining;

**WHEREAS**, our nation's school, academic, public and special libraries make a difference in the lives of millions of Americans today more than ever;

**WHEREAS**, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy;

**WHEREAS**, libraries are helping level the playing field for job seekers, with 88% of public libraries providing access to job databases and other online resources;

**WHEREAS**, libraries are places of opportunity providing programs that teach all forms of literacy, promoting continuing education and encouraging lifelong learning;

**WHEREAS**, in times of economic hardship, Americans turn to – and depend on – their libraries and librarians;

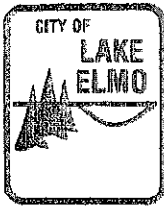
**WHEREAS**, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

**NOW, THEREFORE**, be it resolved that I, Dean Johnston, Mayor of the City of Lake Elmo, do hereby proclaim National Library Week, April 10-16, 2011. I encourage all residents to visit the library this week to take advantage of the wonderful library resources available at your library. Create your own story at your library.

Signed this 15<sup>th</sup> day of March, 2011

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Dean A. Johnston, Mayor



## MAYOR & COUNCIL COMMUNICATION

DATE: 3/15/2011  
CONSENT  
ITEM #: 5  
MOTION *As part of Consent Agenda*

**AGENDA ITEM:** Consider Approval for 3.2% Malt Liquor License of Lake Elmo Market

**SUBMITTED BY:** Sharon Lumby City Clerk

**THROUGH:** Bruce Messelt, City Administrator *BAM*

**REVIEWED BY:** Dave Synder, City Attorney  
Washington County Sheriff's Department

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**SUMMARY AND ACTION REQUESTED:** The City has a liquor application request from Lake Elmo Market, (Prince Enterprises, Inc.) 11025 10<sup>th</sup> Street for 2011. All required fees and the proper insurance certificate have been received. As the application is in order, it is respectfully recommended that the City Council approve the request as part of tonight's *Consent Agenda*.

**BACKGROUND & STAFF REPORT:** The City has received a liquor application request from Lake Elmo Market, (Prince Enterprises, Inc.) 11025 10<sup>th</sup> Street for 2011. All required fees and the proper insurance certificate have been received. The Washington County Sheriff's Department has also conducted the necessary background investigation.

**RECOMMENDATION:** As the application is in order, it is respectfully recommended that the City Council approve the request as part of tonight's *Consent Agenda*.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda and further discuss and deliberate prior to taking action. The Council may also elect to amend the recommended motion. If done so, the appropriate action of the Council following such discussion would be:

*"Move to Approve the 2011 Off-Sale 3.2% Liquor License for Lake Elmo Market, located at 11025 10<sup>th</sup> Street, as presented [and amended] at tonight's meeting"*

**ATTACHMENTS:** 3.2% Malt Liquor License Application for Lake Elmo Market

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

- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates



Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division (AGED)  
444 Cedar Street, Suite 133, St. Paul, MN 55101-5133  
Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555

**Certification of an On-Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License**

**Cities and Counties:** You are required by law to complete and sign this form to certify the issuance of the following liquor license types:

- 1) City issued on sale intoxicating and Sunday liquor licenses  
2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License Lake Elmo License Period From: 3/2011 To: 12-31-11

Circle One: New License License Transfer \_\_\_\_\_ Suspension \_\_\_\_\_ Revocation \_\_\_\_\_ Cancel \_\_\_\_\_  
(former licensee name) (Give dates)

License type: (circle all that apply) On Sale Intoxicating Sunday Liquor 3.2% On sale 3.2% Off Sale  
Fee(s): On Sale License fee: \$ \_\_\_\_\_ Sunday License fee: \$ \_\_\_\_\_ 3.2% On Sale fee: \$ \_\_\_\_\_ 3.2% Off Sale fee: \$ 150.00

Licensee Name: PRINCE ENTERPRISES INC DOB \_\_\_\_\_ Social Security # \_\_\_\_\_  
(corporation, partnership, LLC, or Individual)

Business Trade Name LAKE ELMO MARKET Business Address 11025 10th St City LAKE ELMO

Zip Code 55042 County WASHINGTON Business Phone 651-436-6402 Home Phone \_\_\_\_\_

Home Address 1744 Phalen Place City MAPLEWOOD Licensee's MN Tax ID # \_\_\_\_\_  
(To Apply call 651-296-6181)

Licensee's Federal Tax ID # 61-1603752  
(To apply call IRS 800-829-4933)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address
<u>OWEZ NIANJEE</u>			<u>1744 Phalen Pl, Maplewood, MN 55101</u>
<u>SARAH LANDREAU NIANJEE</u>			<u>1744 Phalen Pl, Maplewood, MN 55101</u>
Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address
Partner/Officer Name (First Middle Last)	DOB	Social Security #	Home Address

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
- 2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Circle One: (Yes No) During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: AMERICAN FAMILY Policy # \_\_\_\_\_

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature \_\_\_\_\_ Date \_\_\_\_\_  
(title)

**On Sale Intoxicating liquor licensees must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7504, or visit our website at [www.dps.state.mn.us](http://www.dps.state.mn.us).**





## MAYOR & COUNCIL COMMUNICATION

DATE: 3/15/2011  
CONSENT  
ITEM #: 6  
MOTION: *as part of Consent Agenda  
Resolution No. 2011-009*

**AGENDA ITEM:** CSAH 6 (Stillwater Boulevard N) Bituminous Overlay – Resolution  
Approving a County Project within Municipal Corporate Limits

**SUBMITTED BY:** Ryan Stempiski, Assistant City Engineer

**THROUGH:** Bruce A Messelt, City Administrator *BAM*

**REVIEWED BY:** Jack Griffin, City Engineer  
Mike Bouthilet, Public Works

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**SUMMARY AND ACTION REQUESTED:** The City Council is respectfully requested to provide Municipal Consent to Washington County for a bituminous overlay on CSAH 6 (Stillwater Boulevard) within the City of Lake Elmo. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

**BACKGROUND INFORMATION:** Washington County intends to complete a pavement preservation project along County State Aid Highway (CSAH) 6 (Stillwater Boulevard N) from Granada Avenue to Trunk Highway 5 through Oakdale and Lake Elmo. The project will be funded 100% by the County, with no City cost participation required. The County intends to use State Aid Funds for the improvements and is, therefore, seeking Municipal Consent from the City for the portion of the project within Lake Elmo corporate limits.

**STAFF REPORT:** The project consists of paving a 2-inch bituminous overlay to improve the roadway surface while mitigating further pavement cracking and deterioration. Within the City of Lake Elmo, the project includes CSAH 6 (Stillwater Boulevard N) from Ideal Avenue N to 530 feet south of Trunk Highway 5. Signing and striping will be updated where needed to conform to the Minnesota Manual on Uniformed Traffic Control Devices (MMUTCD). Sections of the roadway that have concrete curb will be taper milled from the curb to the driving lane (the new bituminous surface will transition flush to the gutter of the curb). The project will not involve realignment, widening, or intersection configuration revisions, thereby maintaining the existing design elements upon completion of the project.

CSAH 6 will remain open to traffic during construction. This project is grouped with three other projects that are scheduled to begin on May 2, 2011. CSAH 6 is anticipated to take 4 weeks to complete. To minimize disturbance, the Contractor will not be able to start one project before another is finished.

Washington County has prepared the final layout of the improvements and has incorporated the final layout in the project plans, dated February 23, 2011, for State Aid Project No. 82-606-09. A copy of the project plans is on file and available for review at City Hall.

**RECOMMENDATION:** Based upon the above information, it is recommended that the City Council approve as part of tonight's *Consent Agenda* Resolution No. 2011-009, approving a County Project within Municipal Corporate Limits. By approving this Resolution, the Council is authorizing the City Engineer to sign the Washington County Construction Plans.

Alternatively, the City Council does have the authority to remove this item from the *Consent Agenda*, table this item for future consideration, or further discuss, deliberate and/or, if appropriate, amend the recommended motion prior to taking action. If the latter is done so, the appropriate action of the Council following such discussion would be:

***“Move to approve Resolution No. 2011-009, Approving County Project within Municipal Corporate Limits [as amended and/or modified at tonight's meeting].”***

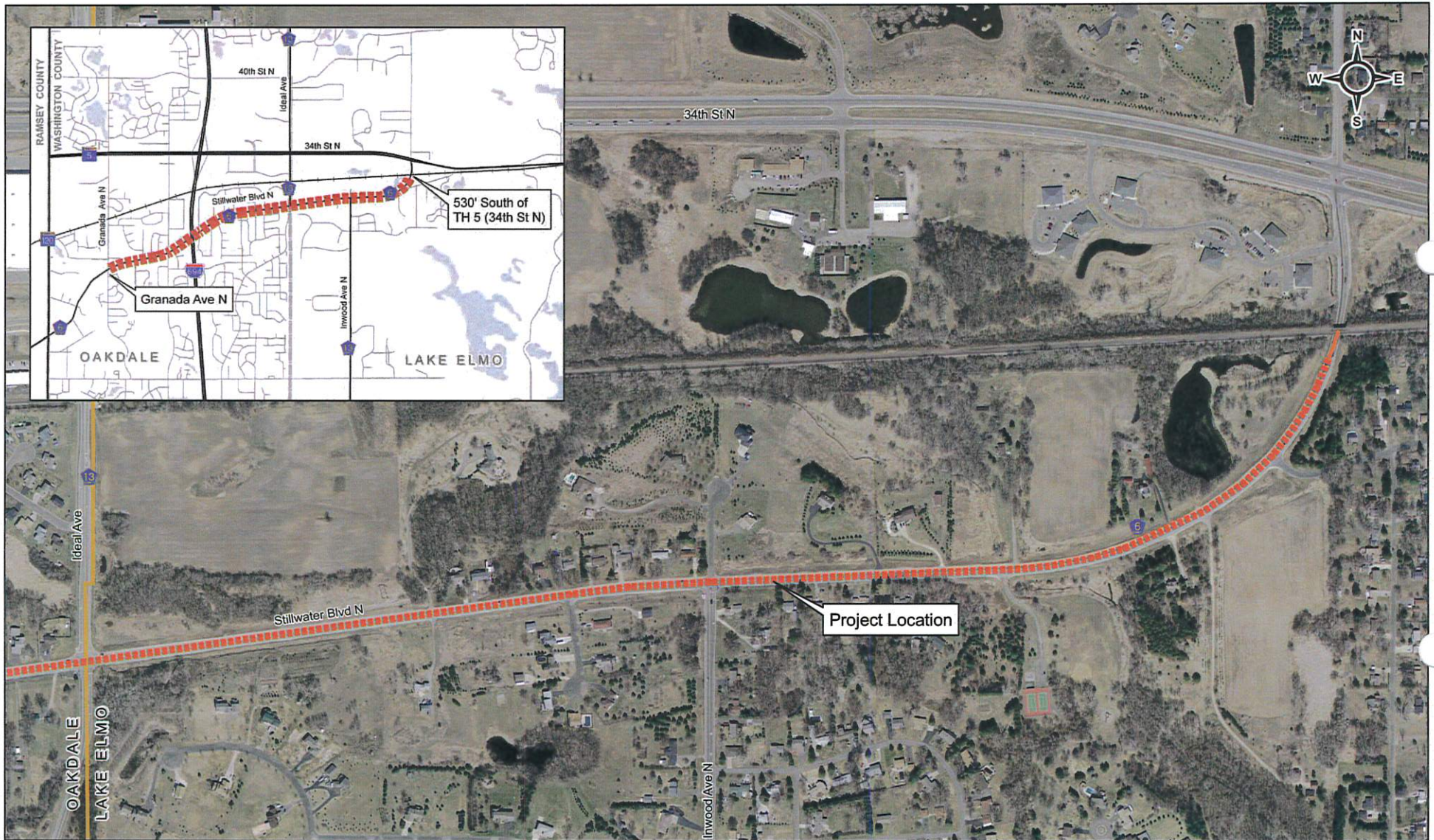
**ATTACHMENTS:**

1. Location Map
2. Resolution No. 2011-009

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

- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor Facilitates
- Action on Motion ..... Mayor & City Council





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

**RESOLUTION NO. 2011-009**

**A RESOLUTION APPROVING A COUNTY PROJECT WITHIN  
MUNICIPAL CORPORATE LIMITS**

*WHEREAS, Washington County intends to complete a pavement preservation project along County State Aid Highway (CSAH) 6 (Stillwater Boulevard N) from Granada Avenue to Trunk Highway 5 through Oakdale and Lake Elmo, Minnesota,*

*WHEREAS the project consists of paving a 2-inch overlay for approximately 3.6 miles to improve the roadway surface while mitigating further pavement cracking and deterioration, and includes updated signing and striping of the new pavement consistent with the latest version of the Minnesota Manual on Uniform Traffic Control Devices,*

*WHEREAS the project will not involve realignment, widening, or intersection configuration revisions, thereby maintaining the existing design elements upon completion of the project,*

*WHEREAS, Washington County has prepared the final layout of the improvements and has incorporated the final layout in the project plans, dated February 23, 2011, for State Aid Project No. 82-606-09, with said plans on file at the offices of City Hall,*

*WHEREAS, the improvements will be paid 100% by Washington County with no cost participation by the City of Lake Elmo.*

**NOW, THEREFORE, BE IT RESOLVED,**

- 1. That said final layout for the improvements for State Aid Project No. 82-606-09 within the corporate limits of Lake Elmo is hereby approved.*
- 2. The City Engineer is hereby authorized to sign the Construction Plans for State Aid Project No. 82-606-09 on behalf of the City of Lake Elmo.*

Date: March 15, 2011

CITY OF LAKE ELMO

By: \_\_\_\_\_

Dean A. Johnston  
Mayor

ATTEST:

\_\_\_\_\_  
Bruce A. Messelt  
City Administrator

### **CERTIFICATION**

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of Lake Elmo at a duly authorized meeting thereof held on the 15th day of March 2011, as shown by the minutes of said meeting in my possession.

---

Sharon Lumby  
City Clerk

(Seal)





## MAYOR & COUNCIL COMMUNICATION

DATE: 3/15/2011  
CONSENT  
ITEM #: 7  
MOTION *as part of Consent Agenda*

**AGENDA ITEM:** 2011 Seal Coat Project – Agreement to Obtain Street Seal Coating Services with West Lakeland Township

**SUBMITTED BY:** Ryan Stempski, Assistant City Engineer

**THROUGH:** Bruce A Messelt, City Administrator *BA*

**REVIEWED BY:** Tom Bouthilet, Finance Director  
Jack Griffin, City Engineer  
Mike Bouthilet, Public Works  
Dave Snyder, City Attorney

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**SUMMARY AND ACTION REQUESTED:** The City Council is respectfully requested to approve an agreement to jointly contract for seal coating services with West Lakeland Township for the 2011 Seal Coat Project. Through a joint project effort, it is anticipated that project cost savings can be realized through an economy of scale. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

**BACKGROUND INFORMATION:** The Lake Elmo City Council authorized staff to prepare plans and specifications for the 2011 Seal Coat Project at the February 15, 2011 council meeting. In an effort to improve service efficiencies, engineering staff has worked with West Lakeland Township to create a joint seal coat project for the 2011 construction season, pending approval by the City Council and Town Board.

**STAFF REPORT:** By competitively bidding both the City and Township projects together, we anticipate a potential savings through a reduced unit price for the seal coating work. The Lake Elmo 2011 Seal Coat Project includes 4.3 miles of streets. West Lakeland would add 2.7 miles of streets to the overall project. The strategy is to improve the bidding environment for the project. In addition, there is a savings in engineering costs by having both communities share in the fixed costs associated with the preparation of the specifications, contract documents, and facilitating the bidding process.

West Lakeland would be required to pay the engineering and administration costs associated with streets within their Township. They would also be required to provide a full-time

construction observer at their direct cost for all streets within West Lakeland. Contractor payments would be made for actual quantities installed for each respective community.

The addition of West Lakeland streets would not impact the project schedule. Approval of the 2011 Seal Coat plans and specifications and authorization of the advertisement for bids would be requested at the April 5<sup>th</sup> City Council Meeting. Contractor bids and contract award would be considered at the May 17<sup>th</sup> City Council Meeting.

**RECOMMENDATION:** Based upon the above information, it is recommended that the City Council approve as part of tonight's *Consent Agenda* the attached Agreement to Obtain Street Seal Coating Services with West Lakeland Township.

Alternatively, the City Council does have the authority to remove this item from the *Consent Agenda*, table this item for future consideration, or further discuss, deliberate and/or, if appropriate, amend the recommended motion prior to taking action. If the latter is done so, the appropriate action of the Council following such discussion would be:

***"Move to approve the Agreement to Obtain Street Seal Coating Services with West Lakeland Township [as amended and/or modified at tonight's meeting]."***

**ATTACHMENTS:**

1. Agreement to Obtain Street Seal Coating Services

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

- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor Facilitates
- Action on Motion ..... Mayor & City Council

**AGREEMENT TO OBTAIN  
STREET SEAL COATING SERVICES**

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_ 2011, by and between the West Lakeland Township (hereinafter referred to as "West Lakeland") and the City of Lake Elmo (hereinafter referred to as "Lake Elmo").

WHEREAS, it is the desire of the parties, and it is the purpose of this Agreement, that certain road-related services be performed or contracted by Lake Elmo on behalf of West Lakeland;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth below, the above parties hereto agree as follows:

1. Term: The term of this Agreement shall be from March 15, 2011 through March 15, 2012.

2. Services. For the term of this Agreement, Lake Elmo shall provide West Lakeland with the following services in and on behalf of West Lakeland and at the direction of West Lakeland's Engineer:

- a. Lake Elmo will engage a contractor to perform street seal coating on streets in West Lakeland, in addition to the streets within Lake Elmo for which Lake Elmo is otherwise contracting. West Lakeland will provide Lake Elmo with a plan showing the seal coating to be performed for 2011.

3. Payments. West Lakeland shall pay for or directly provide the following for services related to street seal coating:

- a. West Lakeland will reimburse Lake Elmo for the actual costs charged to Lake Elmo by its contractor for performing street seal coating on West Lakeland streets per the Contract. At its sole cost and expense, West Lakeland will provide an inspector for the street seal coating operation occurring in West Lakeland for the term of this Agreement.
- b. West Lakeland will pay all invoices within 45 days after the invoice date. Lake Elmo shall include with its invoices copies of the contractor's claims showing the amount charged for the work performed and materials used in West Lakeland.
- c. West Lakeland will directly pay for all engineering and administration fees associated to the seal coat operation occurring in West Lakeland performed in a year as part of this Agreement.

4. Termination. This agreement shall terminate as follows:

- a. At any time, upon mutual agreement of the parties; or



b. In any event, on March 15, 2012.

c. Termination is not allowed after an executed contract has been received by Lake Elmo; or

5. Insurance. Lake Elmo shall require its contractor(s) to provide insurance as specified below, and West Lakeland shall be named as an additional insured on such insurance:

Comprehensive General Liability	\$1,000,000 per occurrence, \$2,000,000 aggregate
Auto Liability	\$1,200,000 per occurrence
Workers compensation	Statutory amount

6. Indemnification. Lake Elmo agrees to defend, indemnify and hold harmless West Lakeland, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses, including attorneys fees, arising out of or resulting from Lake Elmo's performance of the duties required under this Agreement, provided that any such claim, action, damage, loss or expense is caused in whole or in part by an alleged negligent act, omission, or willful misconduct (including, but not limited to, a claimed breach of contract made by the contractor) of Lake Elmo. Lake Elmo agrees to require, as part of its contract with the contractor used to provide the seal coating, to include West Lakeland in the contractor's indemnification obligation under the contract. West Lakeland agrees to defend, indemnify and hold harmless Lake Elmo, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses, including attorneys' fees, arising out of or resulting from West Lakeland's performance of the duties required of it under this Agreement, provided that any such claim, action, damage, loss or expense is caused in whole or in part by an alleged negligent act or omission or willful misconduct of West Lakeland. This provision shall not be construed as a waiver by either party of any defenses, immunities or limitations on liability to which they are entitled, under Minnesota Statutes, Chapter 466 or otherwise.

7. Service Contract. This is a service contract. The parties do not intend to create, and nothing herein shall be construed as creating, a joint powers agreement, joint venture, or joint enterprise. However, to the extent a court of competent jurisdiction may find such a relationship exists, Lake Elmo and West Lakeland shall be considered a single governmental entity as provided in Minnesota Statutes, section 471.59, subdivision 1a for the purposes of determining total liability. The limits of liability for Lake Elmo and West Lakeland shall not be added together to determine the maximum amount of liability for either party or for any occurrence.

8. Contracting Procedure and Oversight. Lake Elmo shall be solely responsible for letting the contracts for the services to be provided hereunder in accordance with all applicable laws, rules, and regulations. The bonds obtained from the contractor for the work shall include the work to be performed in West Lakeland. Lake Elmo shall, to the extent reasonably necessary, assist West Lakeland to draw upon the performance bond as needed to complete or correct any work the contractor fails to perform in West Lakeland in accordance with the contract. West Lakeland will be responsible for inspecting the work to be performed in West Lakeland, but Lake Elmo shall be responsible for generally overseeing the contractor's performance of services in accordance with the contract.

9. Miscellaneous. This Agreement is solely for the benefit of the parties hereto and no other person shall have any right, claim, or interest in it.

10. Legal Compliance. Both parties agree to comply with all applicable state, federal and local laws, rules and regulations in carrying out their respective obligations under this Agreement.

11. Entire Agreement. This Agreement represents the entire agreement between Lake Elmo and West Lakeland and supersedes and cancels any and all prior agreements or proposals, written or oral, between the parties relating to the subject matter hereof. No amendments, addenda, alterations, or modifications to the terms and conditions of this Agreement shall be effective unless in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have set forth their hands on the day and year first written above.

**CITY OF LAKE ELMO**

By: \_\_\_\_\_  
Its Mayor

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Its City Administrator

\_\_\_\_\_  
Date

**TOWN OF WEST LAKELAND**

By: \_\_\_\_\_  
Its Town Chairperson

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Its Town Clerk-Treasurer

\_\_\_\_\_  
Date



## MAYOR & COUNCIL COMMUNICATION

DATE: 3/15/2011  
**RECESSED**  
ITEM #: 8  
**DISCUSSION**

**AGENDA ITEM:** Presentation by Ms. Ginny Holder, Ramsey/Washington Suburban Cable Commission Representative

**SUBMITTED BY:** Sharon Lumby, City Clerk

**THROUGH:** Bruce A. Messelt, City Administrator *BAM*

**REVIEWED BY:** - NA -

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**SUMMARY AND ACTION REQUESTED:** This item has been scheduled as a periodic update for the Mayor and City Council, as well as the larger community, on issues related to the Ramsey/Washington Suburban Cable Commission. It is respectfully requested that the City Council receive an update from Ms. Ginny Holder, the City's Representative on the Ramsey/Washington Suburban Cable Commission.

**BACKGROUND INFORMATION:** This item has been scheduled at the request of Ms. Ginny Holder, Lake Elmo's representative on the Ramsey/Washington Suburban Cable Commission. Ms. Holder will (re-)introduce herself to the City Council and give a general overview of the Cable Commission's authority and activities. Included in this discussion will be comments relating to preparation for franchise renewal.

**STAFF REPORT:** This item is scheduled as part of periodic updates to the Mayor and City Council and community on timely and relevant issues of interest or concern. No specific Council action or direction emanating from this Agenda Item or anticipated discussion is requested at this time.

**RECOMMENDATION:** It is respectfully requested that the City Council receive an update from Ms. Ginny Holder, the City's Representative on the Ramsey/Washington Suburban Cable Commission.

**ATTACHMENTS:** Ramsey/Washington Counties Suburban Cable Commission Information

**SUGGESTED ORDER OF BUSINESS:**

- Introduction..... City Administrator
- Presentation of Item .....Dr. Dan Krivit, Foth Companies
- Discussion..... Mayor & City Council
- Public Input, if Appropriate ..... Mayor Facilitates
- Discussion..... Mayor Facilitates
- Direction/Action ..... Mayor & City Council



## Ramsey/Washington Counties Suburban Cable Commission

### < menu >

- home
- municipalities
- operations
- governance
- structure
- documents
- local programming
- meetings
- agenda
- committees
- cable operators
- questions & complaints

### WELCOME!

Cable Television Franchising Authority for the Minnesota Cities of Birchwood Village, Dellwood, Grant, Lake Elmo, Mahtomedi, Maplewood, North St. Paul, Oakdale, White Bear Lake, Willernie, and Vadnais Heights, and White Bear Township.

Established 1984.

### 2010 HOMETOWN VIDEO AWARDS RESULTS

RWSCC is pleased to announce that our organization has won a Hometown Video Award in the category of **Overall Excellence in Combined P. E. or G. Access Budget \$650,001 or more!**

Also awarded:

- Local Image: 2009 MN Governor's Fishing Opener (**Community Events - Professional**)
- Suprised by Autism (**Informational Feature - Professional**)
- Local Image - October (**Magazine Shows - Professional**)

Join us in celebrating this prestigious achievement!  
(More details)

### < updates >

2010/05/12 -  
updated committees  
page.

2010/02/24 -  
updated  
municipalities page.

2010/02/24 -  
updated dates on  
our meetings page.

2010/02/24 -  
added minutes from  
the commission  
meeting.

### MISSION

The Ramsey/Washington Counties Suburban Cable Commission ("Cable Commission"), was established in 1981 by twelve municipalities located in the northeastern suburbs of the Twin Cities to administer local cable franchises.

Its mission is to:

- Monitor the operation and activities of cable communications and the cable system serving these municipalities
- Provide coordination of administration, enforcement, and renewal of the cable franchises of these municipalities
- Promote, coordinate, administer and develop community cable television programming
- And conduct such other authorized activities to insure equitable and reasonable rates and service levels for the citizens of these municipalities.

quick jump: rwcsc | scc | gtn | rwtv 18 | tv19 |

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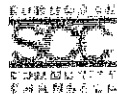
Minnesota, USA

2460 East County Road F  
White Bear Lake, MN 55110

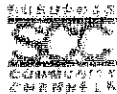
phone: 651.779.7144 x26  
fax: 651.779.9990

## OUR COMMUNITY'S CHANNELS

Channel 14 Channel 15 Channel 16 Channel 18 Channel 19 Channel 95



Religious  
Access



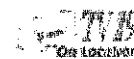
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Access



Government  
Access



NASA/Global  
Programming



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Events



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Minnesota, USA

2460 East County Road F  
White Bear Lake, MN 55110

phone: 651.779.7144 x5  
fax: 651.779.9990



## MAYOR & COUNCIL COMMUNICATION

DATE: 3-15-11  
REGULAR  
ITEM #: 9  
MOTION: *Resolution No. 2011-010*

**AGENDA ITEM:** 2011 Street and Water Quality Improvements – Approve Plans and Specifications and Order the Advertisement for Bid

**SUBMITTED BY:** Ryan Stempski, Assistant City Engineer

**THROUGH:** Bruce A. Messelt, City Administrator *BAM*

**REVIEWED BY:** Jack Griffin, City Engineer  
Mike Bouthilet, Public Works Director  
Tom Bouthilet, Finance Director

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**SUMMARY AND ACTION REQUESTED:** The City Council is respectfully requested to approve the Plans and Specifications for the 2011 Street and Water Quality Improvements and order the advertisement for bid. The recommended motion to act on this is as follows:

**SUGGESTED MOTION:** *“Move to approve Resolution No. 2011-010, Approving the Plans and Specifications for the 2011 Street and Water Quality Improvements and Ordering the Advertisement for Bids.”*

**BACKGROUND INFORMATION:** At the December 7th, 2010, City Council Meeting, the Council authorized the preparation of Plans and Specifications for the 2011 Street and Water Quality Improvements, which included Tartan Meadows and David Nelson Estates. At the February 1, 2011, City Council Meeting, Council authorized the preparation of Plans and Specifications for 50<sup>th</sup> Street and Kimbro Avenue, which were added to the 2011 Street and Water Quality Improvements. The two projects were combined to take advantage of economies of scale when bidding the street improvements in 2011.

**STAFF REPORT:** TKDA has completed the Plans and Specifications for the 2011 Street and Water Quality Improvements including the residential streets in the David Nelson Estates, Tartan Meadows, and 50<sup>th</sup> Street and Kimbro Avenue. The proposed improvements remain consistent with what was presented in the Feasibility Reports on these projects.

TKDA will present a brief summary of the final Plans together with an updated estimate of project cost. The detailed Plans and Specifications are available for review at City Hall. Staff is seeking approval to advertise the project for competitive bids, with a bid date set for April 12, 2011. The tabulated Bids will be presented to Council for award on April 19, 2011.

**WATER QUALITY IMPROVEMENTS:** There are currently 4 executed maintenance agreements to install rain gardens within the boulevard on this project. Approximately 8 additional properties have expressed interest and will be meeting with the Washington Conservation District (WCD) to finalize their position.

This plan will include the coordination and curb cuts for the rain gardens. Grading, seeding, mulching, and planting will be completed under separate contract led by the WCD. At the January 23, 2011, Valley Branch Watershed District (VBWD) Board Meeting, the City of Lake Elmo received approval of the VBWD Community Grant and will receive 50% reimbursement, up to \$17,000 for these water quality improvements.

Other measures to reduce runoff include narrowing streets in the David Nelson Estates and Tartan Meadows Neighborhoods. Flared end sections and culverts will be cleaned and graded to drain where it is necessary on the project. The proposed improvements will pave 50<sup>th</sup> Street and Kimbro Avenue, which is currently a gravel surface. The new bituminous surface will help eliminate gravel and sediment running off the street surface.

**STAFF RECOMMENDATION:** Based upon the above information, it is recommended that the City Council approve Resolution No. 2011-010, Approving the Plans and Specifications for the 2011 Street and Water Quality Improvements and Ordering the Advertisement for Bids by undertaking the following action:

***"Move to approve Resolution No. 2011-010, Approving the Plans and Specifications for the 2011 Street and Water Quality Improvements and Ordering the Advertisement for Bids."***

Alternatively, the City Council does have the authority to table this item for future consideration, or further discuss, deliberate and/or, if appropriate, amend the recommended motion or resolution prior to taking action. If the later action is taken, the suggested motion would be as follows:

***"Move to approve Resolution No. 2011-010, Approving the Plans and Specifications for the 2011 Street and Water Quality Improvements and Ordering the Advertisement for Bids, [as amended at tonight's meeting]."***



**ATTACHMENTS:**

1. Resolution No. 2011-010
2. Project Schedule

**SUGGESTED ORDER OF BUSINESS:**

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

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

**RESOLUTION NO. 2011-010**

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
AND ORDERING ADVERTISEMENT FOR BIDS FOR THE  
2011 STREET AND WATER QUALITY IMPROVEMENTS**

*WHEREAS, pursuant to resolutions passed by the council, TKDA was directed to prepare plans and specifications for the 2011 Street and Water Quality Improvements in accordance with the 2011 Street and Water Quality Improvements Feasibility Report approved November 16, 2010;*

*AND WHEREAS, pursuant to resolutions passed by the council, TKDA was directed to include 50<sup>th</sup> Street and Kimbro Avenue to the plans and specifications in accordance with the 50<sup>th</sup> Street and Kimbro Avenue Street Improvements Feasibility Report approved January 4, 2011;*

*AND WHEREAS, TKDA has completed the plans and specifications for these improvements and has presented them to the City Council for approval on March 15, 2011;*

*NOW, THEREFORE, BE IT RESOLVED,*

- 1. Such plans and specifications, a copy of which is on file at Lake Elmo City Hall and made a part hereof, are hereby approved.*
- 2. The City Clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvements under such approved plans and specifications. The advertisement shall be published for at least 21 days, shall specify the work to be done, and shall state that sealed bids provided to the City Clerk prior to the specified bid date and time and accompanied by a bid bond or cashier's check made payable to the City of Lake Elmo in an amount not less than 5% of the amount of such bid will be considered.*

Date: Marc 15, 2011 CITY OF LAKE ELMO

By: \_\_\_\_\_  
Dean A. Johnston  
Mayor

ATTEST:

\_\_\_\_\_  
Bruce A. Messelt  
City Administrator

## CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of Lake Elmo at a duly authorized meeting thereof held on 15th day of March 2011, as shown by the minutes of said meeting in my possession.

---

Sharon Lumby  
City Clerk

(Seal)

**CITY OF LAKE ELMO  
2011 STREET AND WATER QUALITY IMPROVEMENTS  
PROPOSED PROJECT SCHEDULE**

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September 21, 2010	Council orders TKDA to prepare a Feasibility Report
November 16, 2010	Presentation of Feasibility Report. Council passes resolution receiving Report and calling for Hearing on Improvements
December 7, 2010	Public Improvement Hearing. Council passes resolution ordering Improvement and preparation of Plans
March 15, 2011	Presentation of Plans and Specifications. Council Approves Plans and Specifications and Orders Advertisement for Bids
March 17, 2011	Placement of Advertisement for Bids <ul style="list-style-type: none"><li>• Oakdale-Lake Elmo Review – Pub. on March 23 &amp; March 30</li><li>• Finance and Commerce – Publication on March 18</li><li>• Quest CDN – Publication on March 17</li></ul>
April 12, 2011	Receive Contractor bids/review and prepare preliminary assessment roll
April 19, 2011	City Council accepts bids and awards Contract.
April 22, 2011	Process and send out Contract Documents.
May 6, 2011	Receipt of Contractor's Bonds/Legal Review and Issue Notice to Proceed.
May 16, 2011	Conduct Pre-Construction Meeting.
May 17, 2011	Contractor begins work.
September 23, 2011	Final Completion of Work



## MAYOR & COUNCIL COMMUNICATION

DATE: 3/15/2011  
REGULAR  
ITEM #: 10  
MOTION: *Resolution No. 2011-011*

**AGENDA ITEM:** Lake Elmo Avenue Infrastructure Project I-94 to 30th Street – Approve Plans and Specifications and Order the Advertisement for Bid

**SUBMITTED BY:** Ryan Stempski, Assistant City Engineer

**THROUGH:** Bruce A. Messelt, City Administrator *BA*

**REVIEWED BY:** Jack Griffin, City Engineer  
Tom Bouthilet, Finance Director

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**SUMMARY AND ACTION REQUESTED:** The City Council is respectfully requested to approve Plans and Specifications and order the advertisement for bid for the Lake Elmo Avenue Infrastructure Project from I-94 to 30th Street. Per Council direction, the project now includes an add/alternate bid option to construct gravity trunk sewer in lieu of forcemain for portions of the project south of 10th Street. The recommended motion to act on is as follows:

**SUGGESTED MOTION:** *“Move to approve Resolution No. 2011-011, Approving the Plans and Specifications for the Lake Elmo Avenue Trunk Sewer Infrastructure Project I-94 to 30th Street and Ordering the Advertisement for Bids.”*

**BACKGROUND INFORMATION:** TKDA has completed the Plans and Specifications for the Lake Elmo Avenue Infrastructure Project from I-94 to 30th Street. The project includes a base bid for a forcemain only design and an add/alternate bid for trunk gravity sewer in lieu of forcemain south of 10th Street. The detailed Plans and Specifications are available for review at City Hall. The Engineer’s post-design estimate of total project costs will be presented at the Council meeting.

The base bid design includes a trunk sanitary sewer forcemain along the entire project corridor, connecting the proposed Village Area Lift Station to the MCES Meter Station (located near Hudson Boulevard and Lake Elmo Avenue). The project plans have been designed with the Village Area Lift Station located near Lisbon Avenue and 30th Street on a site previously presented to the Council as Site No. 3, located outside of and to the east of Reid Park.

At the December 7, 2010, City Council Meeting, the Council directed Staff to prepare plans and specifications to incorporate a trunk gravity sewer option for south of 10th Street as an add/alternate bid option for the project. This option would require a higher initial capital investment by the City; however the overall sewer system build-out would be less expensive.

The add/alternate trunk gravity sewer design includes 30-inch and 27-inch diameter gravity pipe from the MCES Meter Station to Lake Elmo Avenue at the southwest corner of the Cimarron development, thereby eliminating just under 3,500 feet of redundant pipe (see attached Location Map). The route of the trunk gravity line follows the sewer shed boundaries in a manner to maximize future service area at the least cost. The layout also intentionally follows existing property boundaries, where appropriate, to minimize interference with future development patterns.

Permanent and temporary easement requirements have been identified for the add/alternate trunk gravity option and easement agreements, exhibits, and legal descriptions are being prepared. Property owners have cooperated throughout the design process. Formal acquisition meetings with the property owners are being initiated.

**STAFF REPORT:** Should the Council order the advertisement for bids at tonight's meeting, Contractor bids would be received on April 19, 2011. The base bid and add/alternate bid would be presented for Council consideration at the May 3rd City Council Meeting. Once bids are received, the contract documents will allow for the bids to be retained by the City for a period of 60 days, before the City must either award the project or reject all bids.

If the project is awarded at the May 3rd City Council Meeting, construction work could begin late May to early June (pending easement acquisition) and would be substantially completed in November 2011 (per the attached Project Schedule).

**STAFF RECOMMENDATION:** Based upon the above information and previous Council direction, it is recommended that the City Council approve Resolution No. 2011-010, Approving the Plans and Specifications for the Lake Elmo Avenue Infrastructure Project I-94 to 30th Street and Ordering the Advertisement for Bids by undertaking the following action:

***"Move to approve Resolution No. 2011-011, Approving the Plans and Specifications for the Lake Elmo Avenue Infrastructure Project I-94 to 30th Street and Ordering the Advertisement for Bids."***

Alternatively, the City Council does have the authority to table this item for future consideration, or further discuss, deliberate and/or, if appropriate, amend the recommended motion or resolution prior to taking action. If the later action is taken, the suggested motion would be as follows:

***“Move to approve Resolution No. 2011-011, Approving the Plans and Specifications for the Lake Elmo Avenue Infrastructure Project I-94 to 30th Street and Ordering the Advertisement for Bids, [as amended at tonight’s meeting].”***

**ATTACHMENTS:** (3)

1. Resolution No. 2011-011
2. Location Map
3. Project Schedule

**SUGGESTED ORDER OF BUSINESS:**

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

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

**RESOLUTION NO. 2011-011**

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
AND ORDERING ADVERTISEMENT FOR BIDS FOR THE  
LAKE ELMO AVENUE INFRASTRUCTURE  
PROJECT I-94 TO 30<sup>TH</sup> STREET**

*WHEREAS, pursuant to resolutions passed by the council, TKDA was directed to prepare plans and specifications for the Lake Elmo Avenue Infrastructure Project I-94 to 30<sup>th</sup> Street;*

*AND WHEREAS, TKDA has completed the design for an alternate bid to include gravity sewer south of 10<sup>th</sup> Street;*

*AND WHEREAS, TKDA has completed the plans and specifications for these improvements and has presented them to the City Council for approval on March 15, 2011;*

*NOW, THEREFORE, BE IT RESOLVED,*

- 1. Such plans and specifications, a copy of which is on file at Lake Elmo City Hall and made a part hereof, are hereby approved.*
- 2. The City Clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvements under such approved plans and specifications. The advertisement shall be published for at least 21 days, shall specify the work to be done, and shall state that sealed bids provided to the City Clerk prior to the specified bid date and time and accompanied by a bid bond or cashier's check made payable to the City of Lake Elmo in an amount not less than 5% of the amount of such bid will be considered.*

Date: March 15, 2011

CITY OF LAKE ELMO

By: \_\_\_\_\_  
Dean A. Johnston  
Mayor

ATTEST:

\_\_\_\_\_  
Bruce A. Messelt  
City Administrator



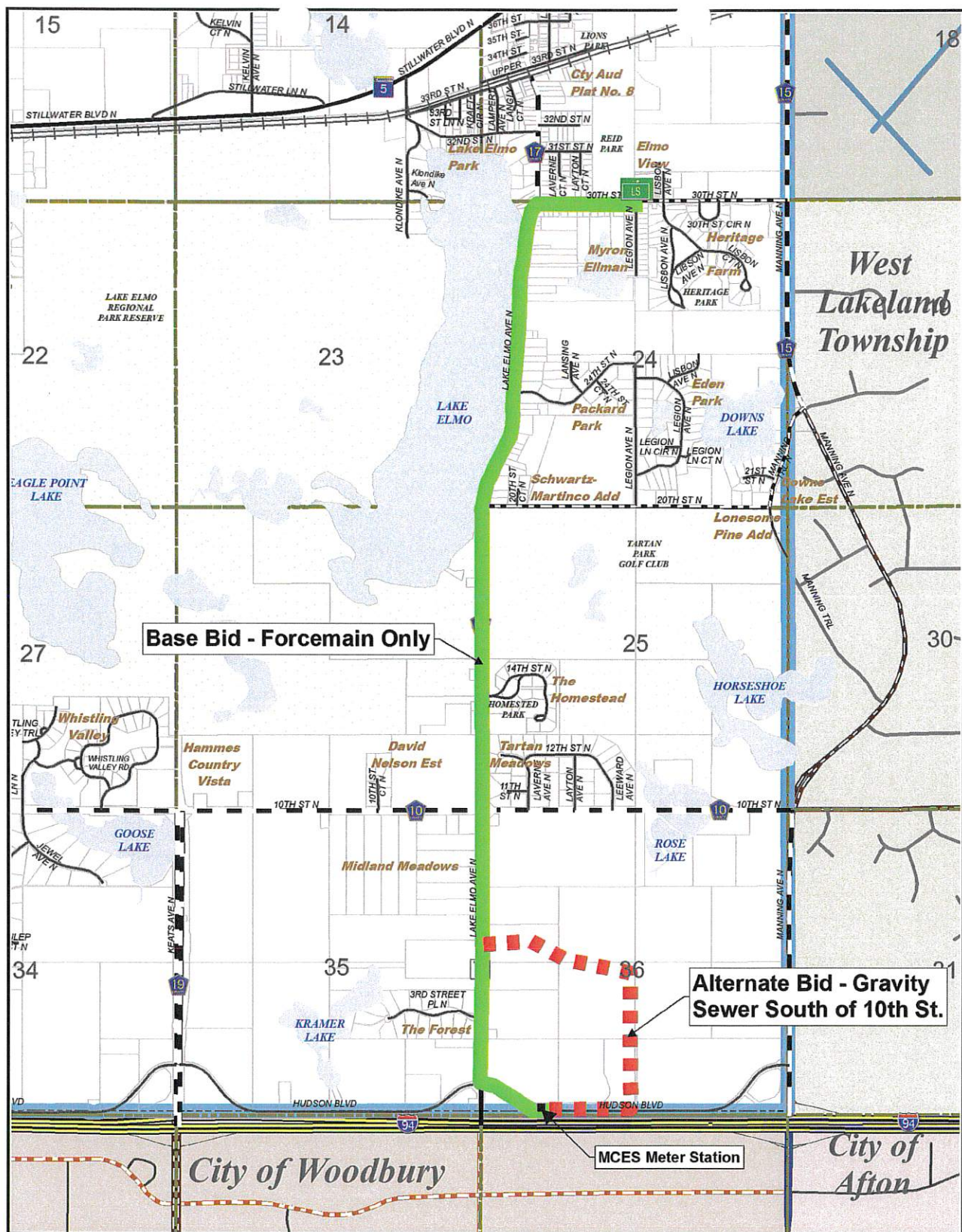
## CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of Lake Elmo at a duly authorized meeting thereof held on 15th day of March 2011, as shown by the minutes of said meeting in my possession.

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Sharon Lumby  
City Clerk

(Seal)



### Legend

- Base Bid - Forcemain Only
- - - - - Alternate Bid - Gravity Sewer South of 10th Street

### LOCATION MAP



**City Hall**  
3809 Laverne Avenue N  
651077-4510  
www.lakeelmo.org



**Public Works Building**  
3448 104th Ave N  
651233-6414



**Fire Stations**

Station No. 1  
3511 Laverne Ave N  
651770-5006

Station No. 2  
4229 America Ave N  
651770-8852



**Schools**



**Parcels**



**Subdivisions**



**City Parks**



**Golf Course**



**Lake Elmo Regional Park Reserve**

Park Office  
651403-6368



**Lakes**



0 0.05 0.1 0.2 Miles

Map Date: March 2011

Created By

**TKDA**

THE RIGHT LINE, THE RIGHT PEOPLE, THE RIGHT MESSAGE

**CITY OF LAKE ELMO  
LAKE ELMO TRUNK SANITARY SEWER EXTENSION PROJECT  
I-94 TO 30<sup>TH</sup> STREET  
PROPOSED PROJECT SCHEDULE**

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August 17, 2010	Council approves lift station location and authorizes TKDA to complete final design.
December 7, 2010	Council directs staff to prepare plans and specifications, work with property owners and acquire easements to incorporate an add/alternate bid option for gravity sewer south of 10th street.
March 15, 2011	Presentation of Plans and Specifications to the City Council. Council approves Plans and Specifications and orders Advertisement for Bids
March 17, 2011	Placement of Advertisement for Bids <ul style="list-style-type: none"><li>• Oakdale-Lake Elmo Review – Pub. on March 23 &amp; March 30</li><li>• Finance and Commerce – Publication on March 18</li><li>• Quest CDN – Publication on March 17</li></ul>
April 19, 2011	Receive Contractor bids
May 3, 2011	City Council accepts bids and awards Contract
May 5, 2011	Process and send out Contract Documents
May 19, 2011	Receipt of Contractor's Bonds/Legal Review and Issue Notice to Proceed
May 23, 2011	Conduct Pre-construction Meeting
May 30, 2011	Contractor begins work
October 1, 2011	Substantial Completion of Sewer Pipe Construction (Including Restoration)
November 15, 2011	Substantial Completion of Lift Station Construction
December 15, 2011	Final Completion