



*Our Mission is to Provide Quality Public Services in a
Fiscally Responsible Manner While Preserving the City's
Open Space Character*

NOTICE OF MEETING

City Council Meeting

Tuesday, January 21, 2014 7:00 P.M.

City of Lake Elmo | 3800 Laverne Avenue North

AGENDA

- A. Call to Order**
- 7:00 B. Pledge of Allegiance**
- C. Roll Call**
- D. Order of Business**
- E. Approval of Agenda**
- F. Accept Minutes**
1. Accept January 06, 2014 City Council Meeting Minutes
- G. Council Reports**
- **Mayor**
 - Appointment of Cullen Case to Public Safety Committee
 - **Council**
- 7:10 H. Public Comments/Inquiries**
- I. Board of Adjustment Hearing**
2. **Case 2014-01** Richie and Beth Springborn vs. City of Lake Elmo; **Resolution 2014-06**
- 7:30 J. Consent Agenda**
3. Approve Payment of Disbursements and Payroll
4. Accept Financial Report dated December 31, 2013
5. Accept 2013 Year-End Building Report dated December 31, 2013
6. Section 34 Water and Sewer Utility Extension Improvements – Pay Request No. 3
7. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. – Pay Request No. 4
8. Approve Predictive Index Hiring Tool
- 7:35 K. Regular Agenda**
9. Council Meeting Date Change
10. Inwood Booster Station and Trunk Watermain Improvements – **Public Hearing**; Authorize Plans and Specifications; Award Engineering Contract; **Resolution 2014-07**
- 7:55 11. Well No. 4 Connecting Watermain Improvements – Approve Plans and Specifications; Resolution 2014-08**
12. Lake Elmo Avenue Trunk Watermain Improvements – Approve Engineering Design and Construction Support Services Contract
- 8:30 13. Comprehensive Plan Amendment - RAD-Alt to RAD – 9434 Stillwater Blvd.; Resolution 2014-09**
14. Community Development Department 2014 Plan of Work
- L. Staff Reports and Announcements**
- **City Administrator**
 - **City Attorney**
 - **Planning Director**
 - **City Engineer**
 - **Finance Director**
 - **City Clerk**
- 9:20 M. Adjourn**

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

**LAKE ELMO CITY COUNCIL MINUTES
JANUARY 06, 2014**

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
JANUARY 06, 2014**

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

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

ABSENT: Council Member Anne Smith

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

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

Council Member Nelson requested that **ITEM 12** be pulled from the Consent Agenda for discussion and placed at the beginning of Regular Agenda. City Engineer Griffin noted that **ITEM 16's** title was corrected.

MOTION:** Council Member Nelson moved **TO APPROVE THE JANUARY 06, 2014 CITY COUNCIL AGENDA AS AMENDED.** Council Member Bloyer seconded the motion. **MOTION PASSED 4-0.

ITEM 1: ACCEPT MINUTES

THE DECEMBER 17, 2013 CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS OF THE CITY COUNCIL.

COUNCIL REPORTS:

Mayor Pearson: Appointed Terry Forrest to Finance Committee; attended Library Board meeting; attended full staff meeting.

Council Member Reeves: attended Lake Elmo Regional Trail Committee meeting where they discussed regional trail concept plan. Washington County is very excited to work with the City. Commended Planner Nick Johnson for his work done on the trail plans.

Council Member Bloyer: no report.

Council Member Nelson: no report.

PUBLIC INQUIRY/COMMENTS:

- **Beth & Richie Springborn – Driveway Ordinance**

Beth Springborn 8970 55th St. spoke about her driveway permit. Building Official Rick Chase informed her that their driveway needed to be paved at the end. Explained her understanding of the definition of "bitumen." They used crushed Hwy 36 millings. Over 6 inches thick on entire driveway. Mr. Chase said it needed to be hot mix asphalt.

City Administrator Zuleger explained the rationale for requiring the hot mix. He showed the examples of each type of material to Council. The city ordinance does not specifically further define the term "bitumen" with enough specificity. The City has returned \$4000 of \$5000 escrow.

Mr. Zuleger explained the options for the council. It was stated that the Ordinance would be brought back with a technical amendment. City Engineer Griffin explained the technical details of how the apron is required and desired to be a hard surface: 1) hold edge of road together. 2) prevent tracking of mud on road; and 3) loose gravel needs to be cleaned out of ditches and culverts, so increased maintenance would be required. The specific driveway dimensions and requirements were discussed. It was determined that

**LAKE ELMO CITY COUNCIL MINUTES
JANUARY 06, 2014**

the apron must cover the Right of Way. Council Member Nelson asked if instead of using a variable term like ROW, use a specific distance.

Ms. Springborn stated her position is that they have already met the code requirements. Staff's preference is to proceed through the appeal process if the Springborns choose. Mr. Bloyer asked if the appeal process costs money. Mr. Zuleger stated that it does, but the City could waive it. The definition of "bitumen" was discussed. Mr. Griffin stated his professional opinion was pretty clear that is included the binder aspect and not simply loose millings.

Mayor Pearson stated his preference that Council and staff study the issue before taking action. He also explained that the code language would not make any sense if interpreted as allowing loose material. The consensus of the Council is that the text may be vague and should be examined. The Council was supportive of staff's recommendation of abiding to the formal appeal process. It was noted that the City has given the Springborns a one-year extension on the completion deadline.

No formal action taken.

SPEAK YOUR PEACE: REEVES

Reeves spoke on the Speak Your Peace tenet of repair damaged relationships. Everyone has been in situation of saying or doing the wrong thing. In a perfect world that wouldn't happen, but it does. To make it right one must apologize. Admit your mistake, move on. Is the apology sincere? Does it keep occurring? There must be a commitment to change behavior. Actions speak louder than words. Where you develop trust, it is easier to accept apology.

CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll in the amount of \$269,770.91
3. Designate Official Publication Newspaper of Record
4. Designate Official Depositories of Funds; *Res. No. 2014-01*
5. Resolution Designating Data Practice Officials and Approving City's Data Practices Policy; *Res. No. 2014-02*
6. Appoint City Engineer and City Attorney
7. Approve 2014 Plan of Work
8. Storm water abatement; *Res. No. 2014-03*
9. Production Well No. 4 – Pay Request No. 5
10. Lake Elmo Avenue Sewer Improvements – Change Order No. 3
11. Section 34 Utility Extension Improvements – Change Order No. 2
12. ~~2012 Rain Gardens – Pay Request No. 2 (Final)~~

MOTION: Council Member Bloyer moved TO APPROVE THE CONSENT AGENDA AS AMENDED. Council Member Reeves seconded the motion. MOTION PASSED 4-0.

ITEM 12: 2012 RAIN GARDENS – PAY REQUEST NO. 2 (FINAL)

City Engineer Griffin explained the item. Contractor is requesting payment in full. Staff does not agree with full payment due to several issues, so is recommending a prorated payment. Contractor did not perform completely and there have been several garden failures. Six of the 17 rain gardens were not functioning for the year.

Council Member Bloyer asked if this was same contractor that built the garden at end of Jane Road. It is not known at this time.

Griffin explained how at times the City is required to install rain gardens, but currently has discontinued the voluntary installation for the time being. Rain gardens do work when installed correctly and maintained properly.

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MOTION: Mayor Pearson moved TO APPROVE PAY REQUEST NO. 2 (FINAL) TO ST. CROIX VALLEY LANDSCAPING IN THE AMOUNT OF \$3,560 FOR THE ONE YEAR MAINTENANCE CONTRACT FOR THE 2012 RAIN GARDEN PROJECT, UPON CONTRACTOR'S RECOGNITION THAT THIS IS PAYMENT IN FULL. Council Member Nelson seconded the motion.

Council Member Nelson wants city to look at the rain gardens on larger scale. He has heard nothing but problems from residents. He applauded Mr. Griffin for getting away from the voluntary ones. It was noted by Mr. Griffin that the first year is critical in maintaining. Professional maintenance is recommended for the first year. After that the residents can do it themselves much more easily. Council consensus is that further policy discussion is warranted.

MOTION PASSED 4-0.

REGULAR AGENDA

ITEM 13: APPOINT 2014 ACTING MAYOR

City Clerk Bell explained the statutory requirement to appoint an Acting Mayor. He noted that in 2013, Councilman Bloyer was appointed. Mayor Pearson nominated Councilman Bloyer to serve as Acting Mayor for 2014.

MOTION: Mayor Pearson moved TO APPOINT COUNCIL MEMBER JUSTIN BLOYER AS ACTING MAYOR FOR 2014, TO COMPLY WITH AND FULFILL ALL DUTIES ENUMERATED IN MINN. STATUTE § 412.121 RELATING TO SELECTION OF AN ACTING MAYOR. Council Member Nelson seconded the motion.

Council Member Reeves asked if Councilman Bloyer accepts the nomination. Mr. Bloyer stated he does.

MOTION PASSED 4-0.

ITEM 14: APPOINT REQUIRED OFFICIALS TO FIRE RELIEF ASSOCIATION BOARD OF TRUSTEES

City Clerk Bell explained the statutory requirement to appoint officials to the Fire Relief Association Board of Trustees. He noted that in 2013, Fire Chief Greg Malmquist, Councilman Wally Nelson and Finance Director Cathy Bendel were appointed.

MOTION: Mayor Pearson moved TO APPOINT FIRE CHIEF MALMQUIST, FINANCE DIRECTOR BENDEL, AND COUNCIL MEMBER WALLY NELSON TO THE FIRE RELIEF ASSOCIATION BOARD OF TRUSTEES FOR 2014. Council Member Reeves seconded the motion.
MOTION PASSED 4-0.

ITEM 15: WATER SURFACE USE ORDINANCE REVIEW

City Administrator Zuleger explained the reason for the review. The ordinance was not effective until 9/25/13. Mr. Zuleger explained the limitations of the study data. One limitation was due to the high water on 7/4/13. There were very few incidents. Lake is mostly used by bass fishermen. Staff spent 150-180 hours examining lakes.

Mayor Pearson explained that the council said they would review the findings and so that is what they are doing tonight. Council Member Bloyer recounted his experience. Council Member Nelson recounted his as well. Both officials saw no issues and very little use in general. Mr. Zuleger affirmed their findings. Mayor Pearson recounted his findings in line with the rest. Council members video recorded much of their findings. Some video evidence was played. Mayor Pearson was glad that not much of an issue had materialized. He noted that the past DNR grant request was denied due to low use. Mr. Bloyer noted that 40% of 2013 park survey responses supported an increased time; 28% were in favor of no change; more than 30% didn't care.

ITEM 16: 2014 STREET IMPROVEMENTS – RECEIVING FEASIBILITY REPORT; CALLING FOR HEARING; RES. NO. 2014-04

**LAKE ELMO CITY COUNCIL MINUTES
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City Engineer Griffin explained the 2014 improvement projects. Two main locations and three main types of improvements. Packard Park neighborhood/20th St/Manning Trail. Packard Park neighborhood will consist of street reclaim. 20th Street consists of micro-surfacing. Manning trail, Deer Pond Trail and Court consist of reconstruction.

The differences between road types and how each project area would be done were explained. 40-50 year roads are being constructed. Higher cost up front, but much longer lasting and saves costs later. Mr. Griffin went through each project and explained the proposed assessments as well. Manning Trail is a collector road, so there is a lower assessment. Tartan Park is 100% because it is non-residential. Assessment is based on front footage.

There is a strategy with West Lakeland Township to extend the unimproved 370 ft on Manning Trail located in their town and have them fully reimburse and also pay for properties accessing Manning Trail situated in West Lakeland Township. Total cost is about \$1.8 million. The summary of the assessments for the various projects was further explained. Mr. Griffin gave overview of the project schedule.

Council Member Reeves asked about the front footage rationale. He asked about Tartan Park and if they have access. Mr. Griffin explained that non-residential includes all abutting roads. They do not have access.

Council Member Bloyer asked about cost if city forwent concrete curb and gutter. The figure is not known off hand. Lower cost in maintenance. Concerned about residents being able to afford it.

Council Member Nelson asked about 70-30 assessment ratio. Mr. Griffin explained that many cities started out at 20:80%. As legal challenges have increased, the percentage had been reduced. It was noted that bonding requires that assessment cannot go below 20%. Mr. Nelson questioned the benefit of the concrete gutter. Grading is much more difficult to perfect without concrete.

Mr. Reeves suggests taking a longer view of the benefits. Noted all council members are sensitive to costs. Mayor Pearson asked Mr. Griffin to make a guess on the cost difference. Mr. Griffin estimated it may be 10-20 percent.

Mr. Nelson asked why 10 years assessments. City Administrator Zuleger stated that 10 year term to retire debt is standard. Longer roads may allow for longer terms, but it is unknown at this time. Modifying policy for 50 year roads was discussed.

Mr. Bloyer asked about Deer Pond's initial construction. The specific date is unknown. Mr. Nelson noted that residents may have different expectation now than 10-20 years ago. He wants City to reexamine assessment term policy. The financing options were discussed.

Mayor Pearson wants the three non-resident properties on Manning Trail to be assessed. He directed staff to pursue assessing them regardless of what West Lakeland Township does in regards to the unimproved 370 foot portion.

MOTION: Council Member Nelson moved TO APPROVE RESOLUTION NO. 2014-04, RECEIVING THE FEASIBILITY REPORT AND CALLING A HEARING FOR THE 2014 STREET IMPROVEMENTS. Council Member Reeves seconded the motion. MOTION PASSES 4-0.

ITEM 17: PUMPHOUSE NO. 4 IMPROVEMENTS – APPROVE PLANS AND SPECIFICATIONS; RES. NO. 2014-05

City Engineer Griffin explained the project. Part of the 2013-14 Water System CIP. Consists of a municipal building, housing the city well and related chemical feed equipment. Mr. Griffin explained the specific details of the improvements. Paid through a combination of MN-DEED grant funds and water enterprise funds. Total cost is \$885,000. The construction schedule was explained.

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MOTION: Council Member Reeves moved TO APPROVE RESOLUTION NO. 2014-05, APPROVING THE PLANS AND SPECIFICATIONS AND ORDERING THE ADVERTISEMENT FOR BIDS FOR THE PUMPHOUSE NO. 4 IMPROVEMENTS. Mayor Pearson seconded the motion. MOTION PASSES 4-0.

SUMMARY REPORTS AND ANNOUNCEMENTS

City Administrator Zuleger: explained the workshop schedule. There will be a few joint workshops with the commissions; performance based budgeting; commended Alyssa MacLeod for her work on the newsletter; east metro groundwater meeting; attended the Met Council meeting on MOU; working on securing water security agreements; expecting Lennar final plat end of month. Preliminary plat from Amaris and Ryland is expected in February; noted the Gonyea water and sewer changes. New proposal starting in the north should help the City with cost of sewer lines; gave summary of the departmental progress. He commended the departments that were the highest developing in 2013.

Council Member Reeves noted the positive comments received on the accountability portion of the newsletter. Mayor Pearson asked about Lake Elmo Days and a private entity taking it over. Mr. Zuleger said that the Jaycees may be the entity, but it is unknown at this time.

City Engineer Griffin: No report.

Finance Director Bendel: final levy certification sent to county; 3,200 storm water bills were sent out.

City Clerk Bell: reported livestock ordinance is expected to be heard at the Planning Commission meeting on 1/27/14.

Mayor Pearson adjourned the meeting at 8:48pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
BOARD OF ADJUSTMENT HEARING
ITEM #2
Case 2014-01

AGENDA ITEM: Richie and Beth Springborn vs. City of Lake Elmo

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Kyle Klatt, Community Development Director
Rick Chase, Building Official
Jack Griffin, City Engineer

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....Community Development Director
- Questions from Council to Staff.....Mayor Facilitates
- Open the Public Hearing.....Mayor Facilitates
- Close the Public Hearing.....Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECCOMENDER: The City’s current and former driveway ordinance require that the portion of a driveway located within the public right-of-way of an improved street be constructed of bituminous or concrete material. This policy is established to protect City streets and storm water infrastructure. It is recommended that the City Council uphold this policy in order to maintain City infrastructure and ensure the maximum life of the assets.

FISCAL IMPACT: The \$150.00 appeal fee was waived at the last City Council meeting on 1/06/2014.

SUMMARY AND ACTION REQUESTED: The Board of Appeals is respectfully requested to determine whether staff is correctly interpreting the City Code in order to determine if a

driveway constructed at 8970 55th Street North is in conformance with the City Driveway Ordinance. The property owners, Richie and Beth Springborn, have built a compacted reclaimed asphalt or millings driveway all the way to the City street (55th Street), whereas the City's ordinance requires that the portion of the driveway located in the City's right-of-way be constructed of bitumen or concrete. The applicants ask that the Board of Appeals consider Staff's interpretation of §93.26 *Driveway Standards*. More specifically, the applicants are challenging staff's interpretation of the definition of "bitumen".

Staff is recommending that the City Council confirm the staff's interpretation of §93.26 through the following motion:

"Move to adopt Resolution 2014-06, confirming and upholding staff's interpretation of the Driveway Ordinance, thereby denying the appeal."

LEGISLATIVE HISTORY:

On September 3, 2013, the City of Lake Elmo issued a building permit for a new single family home at 8970 55th Street North to Richie and Beth Springborn. On November 21, 2013, the City's Building Official conducted a final escrow inspection for the project, which is the last step before issuing the Certificate of Occupancy (CO). During the inspection, the City Building Official, Rick Chase, required a correction to make the portion of the residential driveway in the public right-of-way bituminous or concrete. As opposed to using bituminous or concrete in the right-of-way, the applicants constructed the entire driveway up to the improved street with reclaimed millings or asphalt from the TH-36 project. The applicants are appealing the staff's interpretation of the City's Driveway Ordinance based on the argument that the reclaimed asphalt meets the definition of "bitumen". City staff does not agree with this argument, and recommends that the Council confirm staff's interpretation of the City Code.

Prior to December of 2013, when the City adopted new driveway provisions, the City's previous Driveway Ordinance (Attachment #3) included the following language regarding required surface materials:

"§93.25 General Requirements

Driveway surface. Whenever a driveway is constructed, all that portion of the boulevard designated as driveway shall be surfaced with a plant-mixed machine laid bituminous material conforming to standards approved by the City Engineer and in accordance with plans approved by the City Engineer."

It should be noted that this ordinance was in effect at the time the building permit for the single family home at 8970 55th Street N. was issued. When the permit was issued, the ordinance called for "plant-mixed machine laid bituminous material" in the portion of the boulevard (public right-of-way). Given this language, there is no way to confuse reclaimed or crushed asphalt with plant-mixed bituminous material. The main point is that under the previous driveway provisions,

which were active when the building permit was issued, the applicants would not have been able to use reclaimed asphalt or millings as the approved driveway material in the public right-of-way or boulevard.

In December of 2013, the City adopted a new Driveway Ordinance (Ordinance 08-096 – Attachment #4) to prepare the community for additional residential development, particularly in urban districts. As part of the new Driveway Ordinance, the following language was included in relation to acceptable surface materials:

“§93.26 Driveway Standards

H. Driveway Materials.

1. *Urban Districts.* All driveways shall be constructed of bitumen, concrete or a durable material approved by the City Engineer.
2. *Rural Districts.* Driveways may be constructed of crushed rock or equivalent crushed material provided that the portion of the driveway within the road right-of-way shall be constructed of bitumen or concrete when accessing an improved street.”

As part of the new ordinance, the required or acceptable driveway material within the road right-of-way in rural zoning districts is bitumen or concrete. In seeking to appeal the City staff’s interpretation of the ordinance, the applicants are challenging the definition of bitumen, stating that reclaimed asphalt or millings meets the definition of bitumen. However, staff disagrees with this argument. When examining the context of the driveway materials portion of the ordinance, it is clear that in the rural district, there is a clear delineation between what materials can be used on the private lot and what materials must be used in the public right-of-way. The ordinance states that “crushed rock or equivalent crushed material” that can be used on the private lot, whereas the right-of-way must be bitumen or concrete. In staff’s professional judgment, recycled or reclaimed asphalt or millings is an equivalent crushed material, not bitumen. On the other hand, bituminous or bitumen is a petroleum based product that is bound and laid at high temperatures. Crushed or recycled asphalt does not include the petroleum based binder. Regarding the expertise level of City staff, the City’s Building Official, Rick Chase, has both Bituminous I and Bituminous II MnDOT Certifications. In addition, the City Engineer, Jack Griffin, is extremely experienced and knowledgeable about bituminous products. In the expertise of both the Building Official and City Engineer, reclaimed asphalt does not qualify as bitumen. Finally, with regards to the definition of bitumen not being clear enough in the City Code, it should be noted that City staff drafted the current Driveway Ordinance based upon researching several other local communities. Staff researched the driveway provisions of eight communities (Woodbury, Apple Valley, Eagan, Inver Grove Heights, Shoreview, Eden Prairie, Minnetonka and Cottage Grove). Of the communities that specified bituminous or bitumen as an acceptable or required driveway material (3 cities – Inver Grove Heights, Apple Valley and Eden Prairie) not one of them specifically defined what constitutes bituminous in their codes. Staff believes that the reason for this is that what constitutes bitumen or bituminous is a well-known and established standard. In other words, if the definition of bituminous was less clear cut, other cities would define the term to establish what method and material is acceptable.

Finally, it should be noted that the City has established an engineering design standard for residential driveways. The standard was adopted by the City Council along with the Engineering Design Standards Manual on February 19, 2013 (Resolution 2013-09). The established driveway standard calls for bituminous material at a specification consistent with MnDOT 2360. In other words, contrary to the position that the City has not defined what constitutes bitumen, from staff's perspective, the City has defined what is acceptable by adopting this standard. It should also be noted that reclaimed asphalt that is simply compacted does not meet this standard. The City's driveway standard from the Engineering Design Standards Manual is found in attachment #5.

BACKGROUND INFORMATION (SWOT):

Strengths: Confirming the staff's interpretation of the Driveway Ordinance demonstrates a commitment to the protection and maintenance of City streets and other infrastructure. In cases of installing new or improved residential driveways, requiring the public right-of-way to be constructed of bitumen or concrete helps reduce cracking and degradation of the City streets. In addition, it also helps reduce the trailing or tracking of loose rock or other material or debris onto City Streets. Minimizing this debris helps maximize safety and protect storm sewer and other City infrastructure.

Weaknesses: N/A

Opportunities: N/A

Threats: If the appeal is granted, the action sets a negative precedent to allow crushed rock or an equivalent crushed material as an acceptable material in the public right-of-way for new residential driveways in rural zoning districts. This scenario presents a threat to the ongoing maintenance and protection of City streets.

RECOMMENDATION:

Based on the aforementioned, Staff is recommending that the City Council confirm the staff's interpretation of §93.26 Driveway Standards through the following motion:

“Move to adopt Resolution 2014-06, confirming and upholding staff's interpretation of the Driveway Ordinance, thereby denying the appeal.”

ATTACHMENTS:

1. Resolution 2014-06
2. Zoning Appeal Application – Richie and Beth Springborn
3. City's Previous Driveway Ordinance
4. City's Current Driveway Ordinance
5. City's Residential Driveway Engineering Design Standard

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
BOARD OF ADJUSTMENT AND APPEALS**

RESOLUTION NO. 2014-06

*RESOLUTION STATING FINDINGS OF FACT REALTED TO AN APPEAL OF THE STAFF
INTERPRETATION OF THE CITY'S DRIVEWAY ORDINANCE PERTAINING TO THE
CONSTRUCTION OF A RESIDENTIAL DRIVEWAY AT 8970 55TH STREET NORTH*

WHEREAS, the property owners at 8970 55th Street North, Richie and Beth Springborn, have constructed a new residential driveway as part of a building permit for a single family home; and

WHEREAS, the City staff determined that the constructed driveway was not compliant with Section 93.26 of the City Code for the following reasons:

- 1) The Driveway Ordinance requires that any portion of a driveway in the public right-of-way accessing an improved street must be constructed of bitumen or concrete.
- 2) 55th Street is an improved street, requiring that any new or improved driveway accessing the street be constructed of bitumen or concrete in the area of the public right-of-way.
- 3) The portion of the applicants' driveway in the public right-of-way is constructed of reclaimed asphalt or millings, which does not meet the City's standard for bitumen or concrete.

WHEREAS, the applicants submitted an appeal to the Board of Adjustments and Appeals regarding the staff's interpretation of the Driveway Ordinance and the definition of bitumen, and request that the Board find that the requirement to install bound bitumen or concrete in the public right-of-way be waived; and

WHEREAS, on January 21, 2014, the Board heard the applicants and the City's staff and counsel and considered the facts of this case; and

NOW, THEREFORE, the Board of Appeals and Adjustments of the City of Lake Elmo makes the following findings related to the appeal by Richie and Beth Springborn of City staff's interpretation of the Driveway Ordinance in connection to the construction of a new residential driveway at 8970 55th Street North:

FINDINGS

- 1) That the City requires the portion of the right-of-way for all residential driveways accessing improved streets to be constructed of bitumen or concrete for the purpose of protecting the integrity of the street and ensuring the maximum life of the asset.
- 2) That the City strives to reduce the occurrence of trailing rock or other loose material onto improved City streets for the purpose of keeping the street clear of debris to maximize safety and minimize potential damage to storm sewer and other City infrastructure.
- 3) That the City Council has adopted and established an engineering design standard for residential driveways that calls for a bituminous specification of MnDOT 2360 TYPE SP, a hot, plant-mixed, machine laid and bounded bituminous product.
- 4) That the material used by the applicants to construct the portion of the residential driveway in the public right-of-way, reclaimed compacted asphalt or millings, is not consistent with the City's engineering standard or definition of bitumen.

CONCLUSIONS AND DECISION

Based on the foregoing, the City Council confirms and upholds City staff's interpretation of the City Code, and thereby denies the application of appeal.

Passed and duly adopted this 21st day of January, 2014 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

Date Received: _____
Received By: _____
Permit #: _____



851-747-3900
38014 Avenue North
Lake Elmo, MN 55042
JAN 13 2014

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision

Applicant: Richie and Beth Springborn
Address: 8970 55th St. N. Lake Elmo, MN 55042
Phone #: R= 651334-8428 / B- 651-592-9944
Email Address: r.springborn@msn.com

Fee Owner: \$0.00 - Fee's are waived per Dean Zuleger and City Council
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address and Complete (long) Legal Description): 8970 55th St. N. Lake Elmo, MN 55042

Detailed Reason for Request: We are requesting we be waived from having to put "Hot Mix or concrete", as identified by city staff, at the end of our driveway (right-of-way) We believe due to the vagueness of the current City Code, and the Code during our final inspection on 11/21/13, we have complied with the code by using compacted asphalt millings, from Highway 36, and the compacted asphalt millings are 8-12" thick throughout our entire driveway. The material we used falls under the City Code word "Bitumen". See attachments for supporting documentation.
*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

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

Signature of applicant: *Richie Springborn* Date: 1-13-14
Beth Springborn 1-13-14

City Use Only	
Planning: Zoning District: _____	Date: _____
Reviewed by: _____	Date: _____
Subject to the following conditions: _____	
Engineering: Reviewed by: _____	Date: _____
Subject to the following conditions: _____	

are appealing the City Code, Section 93.26. H, which reads as follows:
Driveway Materials
Rural Districts. Driveways may be constructed of crushed rock or equivalent crushed material provided that the portion of the driveway within the road right-of-way shall be constructed of timber or concrete when necessary.

Beth & Rich Springborn
8970 55th St.
Lake Elmo, MN 55042
651-592-9944

January 6, 2014

Mayor and City Council Members:

We have finished building our home on 9.58 acres and during the final inspection on 11/21/2013, completed by Rick Chase to obtain our occupancy permit, Rick noted that the end of our driveway needed to be asphalted. We were confused by Rick's statement as the end of our driveway is asphalted. We looked up the City Code which reads *"(Rural Districts) Driveways may be constructed of crushed rock or equivalent crushed material provided that the portion of the driveway within the road right-of-way shall be constructed of bitumen or Concrete when accessing an improved street."* Attached is a copy of the City Code that was given to us by Rick Chase.

We are questioning why we are required to have the end of our driveway asphalted since that is not what is stated in the City code. To better understand the terminology in the city code we did some additional research:

So what does the word *bitumen* mean? The definition in the dictionary states: *"bitumen" - any of various natural substances, as asphalt, maltha, or gilsonite, consisting mainly of hydrocarbons.* (See attached)

We then received a letter from Joan Ziertman, dated 12/23/2013, (see attached) stating that we are to have an asphalt access for the driveway. To better understand the word *"asphalt"* we looked up the definition and it states:

"Asphalt" - Any of various dark-colored, solid, bituminous substances, native in various areas of the earth and composed mainly of hydrocarbon mixtures.

- 1. A similar substance that is the by-product or petroleum-cracking operations.*
- 2. A mixture of such substances with gravel, crushed rock, or the like, used for paving.*


In regards to these definitions we feel that we comply with the City Code as we have crushed asphalt on our full driveway, including the portion of the driveway within the road right-of-way.

We have had multiple conversations with staff related to this and during one conversation Rick stated that we are required by City Code to have *Hot mix asphalt 3" thick at the end of our driveway* and based on his email he states that we were not in compliance with the City ordinance. We disagree as that is not what is stated in the City Code. We do not understand why we are being asked to do one thing and the City Code states another.

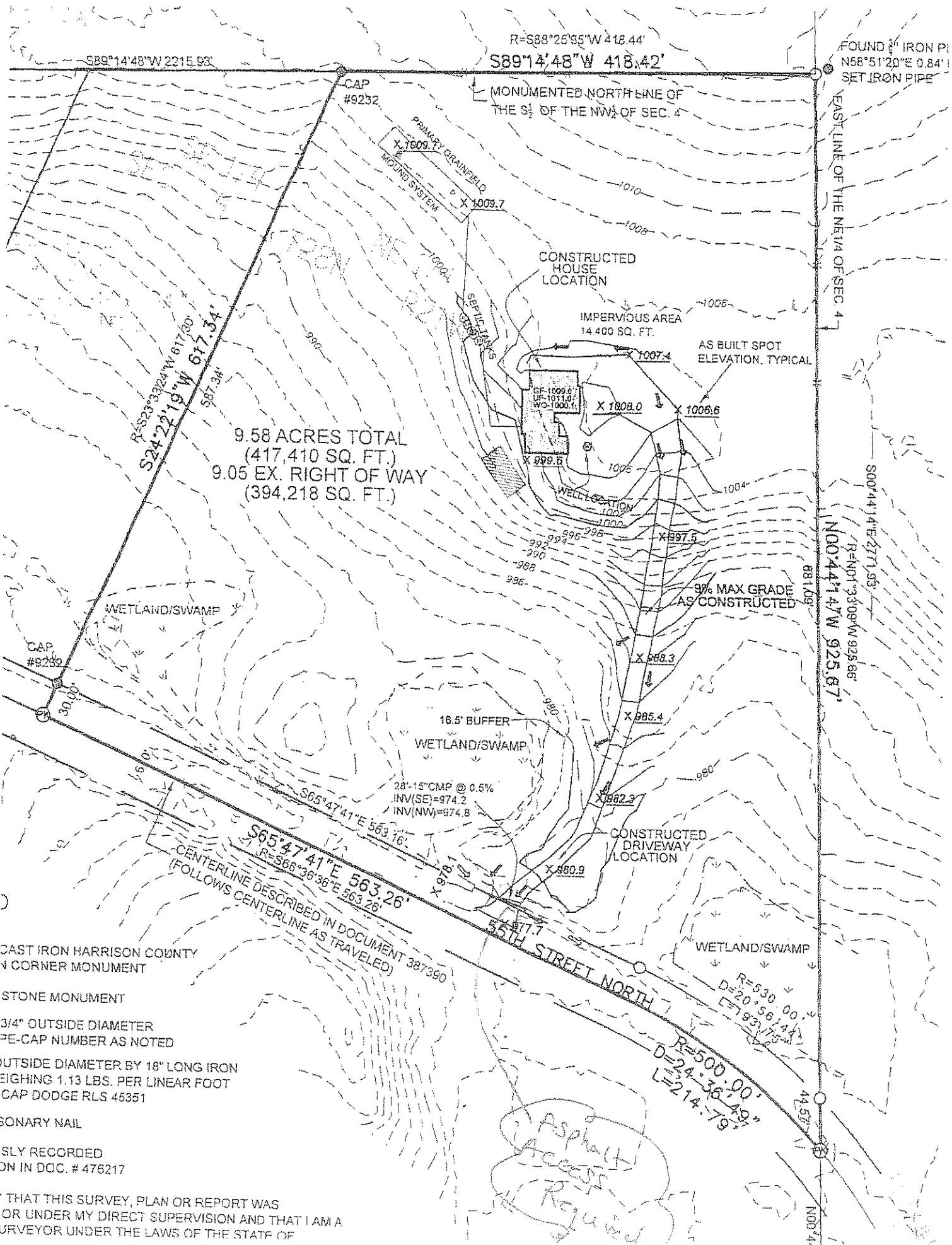
We are requesting the council's clarification related to the materials needed for the end of driveways in 'rural districts' and for the release of the remaining escrow funds. We believe we have met the requirements of the City Code and especially as it relates to rural districts.

Thank you for your time and we greatly appreciate an expedient response in order to complete this process.

Sincerely,


Beth Springborn


Rich Springborn



9.58 ACRES TOTAL
 (417,410 SQ. FT.)
 9.05 EX. RIGHT OF WAY
 (394,218 SQ. FT.)

- CAST IRON HARRISON COUNTY
 CORNER MONUMENT
- STONE MONUMENT
- 3/4" OUTSIDE DIAMETER
 PE-CAP NUMBER AS NOTED
- OUTSIDE DIAMETER BY 18" LONG IRON
 WEIGHING 1.13 LBS. PER LINEAR FOOT
 CAP DODGE RLS 45351
- SONARY NAIL
- SLY RECORDED
 ON IN DOC. # 476217

THAT THIS SURVEY, PLAN OR REPORT WAS
 MADE OR UNDER MY DIRECT SUPERVISION AND THAT I AM A
 SURVEYOR UNDER THE LAWS OF THE STATE OF

*Asphalt
 Access
 Required*

- E. *Distance from Intersection.* No driveway or curb cut shall be less than 20 feet from any right-of-way line of any street intersection, except that in high density residential, commercial and mixed-use zoning districts, the minimum distance shall be 50 feet.
- F. *Driveway Angle.* All driveways shall connect to the public street at 90 degree angles, or must be approved by the City Engineer. Exceptions must demonstrate an inability to meet the 90 degree angle due to extenuating circumstances.
- G. *Driveway Grade.* Driveways exceeding a grade of 10% must be approved by the City Engineer. Exceptions must demonstrate an inability to meet the 10% maximum grade due to extenuating circumstances.
- H. *Driveway Materials.*
 - 1. *Urban Districts.* All driveways shall be constructed of bitumen, concrete or a durable material approved by the City Engineer.
 - 2. *Rural Districts.* Driveways may be constructed of crushed rock or equivalent crushed material provided that the portion of the driveway within the road right-of-way shall be constructed of bitumen or concrete when accessing an improved street.
- I. *Curb Box, Residential Districts.* Curb boxes located within driveway shall be protected with an A1 Ford Lid or approved equal.
- J. *Control of Traffic.*
 - 1. Where other alternatives exist, commercial sites should not be accessed from local residential streets.
 - 2. Traffic shall be controlled to ensure that the location of driveways shall not constitute a hazard nor be injurious to adjacent residential uses.
- K. *Access to Major Streets (Thoroughfares).* On properties having frontage on both thoroughfares and minor roads, access shall be provided via the minor road unless otherwise approved by the City Engineer. Access may be restricted on any non-residential local road. The number and types of access drives onto major streets may be controlled and limited in the interests of public safety and efficient traffic flow.
- L. *State and County Highway Requirements.* Driveways constructed to access any street designated as a state or county highway shall meet all additional specifications of the appropriate jurisdiction. Access drives onto state and county roads shall require a review by the road authority and the City Engineer. The state, county and City Engineer shall determine the appropriate location, size and design of such access drives and may limit the number of access drives in the interest of public safety and efficient traffic flow.
- M. *Distance from Driveways to Side Lot Line.* A driveway must be at least 5 feet from any side lot line.
- N. *Emergency Vehicle Access.* Driveways to principal structures that traverse wooded, steep or open field areas shall be constructed and maintained to a width and base material depth sufficient to support access by emergency vehicles.

§ 93.27 Parking Areas



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

December 23, 2013

Hartman Homes
744 Ryan Drive, Suite 102
Hudson, WI 54016
Attn: Jeff Mears

Re: 8970 55th Street N

Dear Mr. Mears:

Attached please find the rejection comments for the as-built survey that was submitted. In addition, please note that per City Code, an asphalt access is required for the driveway. A copy of the City Code is provided. Please make the corrections and resubmit the as-built. Please have the corrections to the driveway access completed by June 1, 2014. If you have any questions, please feel free to contact myself or Rick Chase, the Building Official at 651-747-3910. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joan Ziertman".

Joan Ziertman
Planning Program Assistant
651-747-3918

Cc: Beth & Richie Springborn



January 3, 2014

Rich and Beth Springborn
8970 55th Street North
Lake Elmo, MN 55042

Dear Mr. and Mrs. Springborn:

I am writing in response to your December 31, 2013 letter in which you state your concern that the Lake Elmo City Code concerning driveways is not being properly applied to your recent building permit for a new home at 8970 55th Street North. The specific provisions that have been questioned are found in Section 93.26.H, which reads as follows:

H. *Driveway Materials.*

1. *Urban Districts.* All driveways shall be constructed of bitumen, concrete or a durable material approved by the City Engineer.
2. *Rural Districts.* Driveways may be constructed of crushed rock or equivalent crushed material provided that the portion of the driveway within the road right-of-way shall be constructed of bitumen or concrete when accessing an improved street.

After reviewing this matter with our Staff, I have found that the Code is being interpreted properly, and specifically, that the millings you have used for your driveway do not meet the City's requirements for an allowed driveway material within a boulevard adjacent to an improved street. Please note that for all other portions of the driveway outside of the public boulevard area (within 15 feet from the edge of the pavement) the millings are deemed acceptable as a crushed rock or equivalent material.

If you do not agree with this interpretation of the Code, you may file an appeal of the decision with the Board of Adjustment consistent with the appeal procedures outlined in Section 154.108 (attached). This does require a formal request to the City Council as specified in the ordinance.


If you decide not to file a formal appeal, you will need to modify that portion of the driveway that is located within the public boulevard area (from the edge of the existing pavement to a depth of at least 15 back from the edge) consistent with the City's review comments concerning your as-built survey.

I understand that you have had recent conversations with the City Administrator regarding the escrow deposit submitted by Hartman Homes for this building permit, and at this point, the City is willing to consider a partial release of the escrow payment based on substantial completion of your building permit. I have also reviewed the three outstanding items for escrow release as indicated by the Building Official in an email to you dated December 31, 2013 and we have agreed to eliminate all but

requirement number 3 (pertaining to the driveway surface within the City boulevard). Furthermore, the City is willing to grant you additional time to install the driveway, and will extend the deadline for compliance with the boulevard surfacing requirement out to June 1, 2015. The City will therefore adjust the escrow to cover only the estimated value of the outstanding driveway improvements and will consider all other matters resolved.

Please contact me if you have any questions about the City's appeal submittal and review process, or if you would like to further discuss the City's driveway requirements.

Sincerely,



Kyle Klatt

Community Development Director

cc: Dean Zuleger, City Administrator
Nick Johnson, City Planner
Rick Chase, Building Official
Mike Hartman, Hartman Homes

§ 154.100 Appeals and the Board of Adjustment

The Board of Adjustment is hereby established pursuant to this chapter and Minnesota law. The Board of Adjustment (which is the City Council in accordance with §31.10 of the City Code) shall have those powers and authority as provided by Minnesota law and as hereinafter provided for. The Board of Adjustment shall be formed and operate in conformance with Chapter 31 of this Code and specifically with §31.10.

A. *Powers of the Board of Adjustment.*

1. *Review of Administrative Decisions.* The Board of Adjustment shall act upon all questions as they may arise in the administration of this chapter, including the interpretation of zoning maps, and it shall hear and decide appeals from and review any order, requirement, decision or determination made by such an administrative official charged with enforcing this chapter. Such appeal may be made by any person, firm or corporation aggrieved by an officer, department, board or bureau of the city.
2. *Variances.* The Board of Adjustment shall also have the power to grant variances to the provisions of this chapter under certain conditions. The conditions for the issuance of a variance are as indicated in §154.109 of this Article. No use variances (uses different than those allowed in the district) shall be issued by the Board of Adjustment.

B. *Procedures for Appeals.*

1. *Filing of Appeals.* All appeals to the Board of Adjustment shall be in writing and filed with the office of the City Clerk within 14 calendar days of the date of mailing of the notice of the order, requirement, decision or determination from which the appeal is made.
2. *Hearings.* The Board of Adjustment shall conduct a hearing regarding all appeals in accordance with §154.102.C.2 of this Article.
3. *Notice.* Written notice of the hearing shall be provided to the parties to the hearing and mailed not less than 14 days prior to the hearing.
4. *Orders.* The Board shall, within a reasonable time, make its order deciding the matter and shall serve a copy of such order upon the appellant or petitioner by mail. The Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as in its opinion ought to be made. The reasons for the decision of the Board of Adjustment shall be stated in the order. A majority vote of the Board of Adjustment shall be necessary to reverse any decisions of an administrative office of the city or to decide in favor of the applicant.

11/3/14
Notified

DEPARTMENT OF INSPECTIONS
CITY OF LAKE ELMO
(651) 747-3910

House Final

INSPECTION FOR Final Reinspection
DATE 11/21/13 TIME 8:30am
ADDRESS 8970 55th St,
CONTRACTOR Hartman Homes
PHONE NUMBER (612) 685-0075

PASS FAIL MAKE CORRECTIONS & CONTINUE

I have this day made the inspection called for at the address listed above. You will make corrections as listed below before proceeding with any work that would cover up or effect the listed correction. You will call for another inspection before corrections have been covered up.

As Built
Driveway Access Asphalt/Concrete

If no violations of the ordinance are listed above, approval is hereby given to proceed with the work completed as of the time and date listed below. You will be in violation of the ordinance if you do not call for the proper inspection and make correction as called for.

11/21/13 _____
Date Time Inspector

Print

Lake Elmo, MN Code of Ordinances

DRIVEWAYS

§ 93.20 PURPOSE.

The purpose of §§ 93.20 *et seq.* is to control the location of driveways and curb cuts in order that traffic hazards be reduced, adequate street drainage be maintained, and that ingress and egress from properties shall not constitute a hazard or impair the health, safety, or general welfare of the residents of the city.

(1997 Code, § 1405.01)

§ 93.21 PERMIT REQUIREMENTS.

No driveway shall be constructed in any location where motor vehicles will be provided with access to any public right-of-way without first obtaining a permit for the construction from the properly designated city employee, who shall require a grade to establish the driveway. Prior to the issuance of the permit, the provisions of §§ 93.20 *et seq.* shall be complied with.

(1997 Code, § 1405.02) Penalty, see § 10.99

§ 93.22 APPLICATION.

Any person desiring the permit shall present written application to the city describing the project along with a site plan that indicates that the requirements of §§ 93.20 *et seq.* is met. For new residential developments, these site plans shall be reviewed by the City Building Inspector. In commercial districts, driveways shall be reviewed as part of the site plan review by the City Planner

(1997 Code, § 1405.03)

§ 93.23 PERMIT FEES.

The permit fees shall be set, from time to time, by ordinance by the Council.

(1997 Code, § 1405.04)

§ 93.24 PERMIT REVOCATION.

The permit issued may be revoked by the city at any time after its issuance for failure to comply with the conditions of the permit or the directions of the city relative to the work covered by the permit.

(1997 Code, § 1405.05)

§ 93.25 GENERAL REQUIREMENTS.

(A) *Licensed contractor.* All work done within the right-of-way of the street shall be done by a regularly licensed contractor under the supervision of the proper city employee, who will see that all regulations are rigidly followed.

(B) *Driveway surface.* Whenever a driveway is constructed, all that portion of the boulevard designated as driveway shall be surfaced with a plant-mixed machine laid bituminous material conforming to standards approved by the City Engineer and in accordance with plans approved by the City Engineer. Concrete specifications approved by the City Engineer may also be used for driveway surfacing at the property owner's own risk. Should it subsequently become necessary to repair or replace the concrete surfacing in whole or in part, the owner, or owners, of property serviced by the concrete driveways shall pay all costs of the repairs or replacements.

(C) *Scope.* The requirements of §§ 93.20 *et seq.* apply to all new construction and to repairs and changes to old driveways which do not conform to present requirements.

(D) *Notification of construction.* The city is to be notified at least 24 hours in advance of the date the construction will start.

(E) *Plot plan.* Prior to the construction of a driveway, a plan must be submitted which indicates the location and specifications for driveways and curb cuts in accordance with §§ 93.20 *et seq.* The plat plan submitted shall be approved prior to the issuance of a permit for a driveway.

(1997 Code, § 1405.06) Penalty, see § 10.99

§ 93.26 STANDARDS.

The following regulations shall apply to all driveways, curb cuts and aisles.

(A) *Width.* The width of driveways in any zoning district shall provide adequate egress and ingress to the site for the safety of residents, and provide access for emergency vehicles. The maximum width of driveways in residential districts is 22 feet, except that in the Residential Estates (RE) Zoning District, the maximum width at a lot line shall be 12 feet and the maximum width at the public street shall be 18 feet. The maximum width of driveways in commercial districts is 34 feet. Driveways shall be included on all site plans for new residential permits for review by the Building Official. In commercial districts, driveways shall be reviewed as part of the site plan review by the City Planner.

(Am. Ord. 97-18, passed 9-16-1997)

(B) *Distance between driveways.* The minimum distance between curbs of driveways at right-of-way line shall be 10 feet in any residential district. In all other districts, the minimum distance shall be 20 feet.

(C) *Width of aisles.* Any aisle in any parking lot in a zoning district other than a residential district shall be a minimum of 24 feet. Any aisle in a parking lot in any residential district serving a building containing 3 or more dwelling units shall also be a minimum of 24 feet.

(D) *Distance from intersection.* No driveway or curb cut shall be less than 20 feet from any right-of-way line of any street intersection, except that in retail, business, and industrial zoning districts, the minimum distance shall be 50 feet.

(E) *Driveway angle.* The minimum driveway angle from a 2-way access street shall be 90 degrees. The minimum driveway angle from a 1-way street shall be 30 degrees.

(F) *Control of traffic.*

(1) Where commercial land uses are adjacent to residential districts, ingress and egress from the commercial uses on streets leading to or through the residential districts shall not be permitted unless it can be demonstrated that adequate access to public right-of-way is thereby denied.

(2) In this manner, traffic shall be controlled to ensure that the location of driveways shall not constitute a hazard nor be injurious to adjacent residential uses.

(G) *Access to thoroughfares.* On properties having frontage on both thoroughfares and minor roads, access shall be provided via the minor road wherever feasible in order to reduce the number of curb cuts on thoroughfares.

(H) *State and county highway requirements.* The proposed driveway is to be constructed so that if it opens into any street designated as a state or county highway, all additional specifications of the appropriate highway departments will apply.

(I) *Distance from driveways to side lot line.* A driveway must be at least 5 feet from any side lot line, except that in the Residential Estates (RE) Zoning District, a driveway must be at least 10 feet from any side lot line.

(1997 Code, § 1405.07) Penalty, see § 10.99

§ 93.27 PARKING AREAS.

The parking restrictions applicable to driveways are stated in the zoning code and §§ 150.001 *et seq.*

(1997 Code, § 1405.08)

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-096

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
AMENDING THE CITY'S DRIVEWAY REQUIREMENTS.

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title IX: General Regulations; Chapter 93: Streets and Sidewalks; Sections 20 through 27 to read the following:

DRIVEWAYS

§ 93.20 Purpose

The purpose of §§ 93.20 *et seq.* is to control the location of driveways and curb cuts in order that traffic hazards be reduced, adequate street drainage be maintained, and that ingress and egress from properties shall not constitute a hazard or impair the health, safety, or general welfare of the residents of the city.

§ 93.21 Permit Requirements

No driveway shall be constructed in any location where motor vehicles will be provided with access to any public right-of-way without first obtaining a permit for construction. Prior to the issuance of the permit, the provisions of this Ordinance shall be complied with.

§ 93.22 Application

Applications for permits shall be made in writing upon printed forms furnished by the City. Each application for a permit shall have thereon the correct legal description of the property and a drawing of the land showing the location of the proposed driveway with respect to the boundary lines of the property. The written application shall describe the project along with a site plan that indicates that the requirements of this Ordinance are met.

§ 93.23 Permit Fees

The permit fees shall be set in the City's Fee Schedule by ordinance by the City Council.

§ 93.24 Permit Revocation

The permit issued may be revoked by the City at any time after its issuance for failure to comply with the conditions of the permit or the directions of the City relative to the work covered by the permit.

§ 93.25 General Requirements

- A. *Licensed Contractor.* All work done within the right-of-way of the street shall be done by a City licensed contractor as specified in Chapter 115 of the City Code.
- B. *Site Plan.* Prior to the construction of a driveway, a scaled plan must be submitted which indicates the location and specifications for driveways and curb cuts, the widths and dimensions at the street, property line and building structure, the slope of the driveway, and the location of the curb box as applicable in accordance with §§ 93.20 *et seq.* The site plan submitted shall be approved prior to the issuance of a permit for a driveway.

§ 93.26 Driveway Standards

The following regulations shall apply to all driveways and curb cuts. All driveway work shall be constructed in accordance with the approved site plan. No deviations or changes shall be made in the field without first obtaining permission from the City.

- A. *Driveway Width.* All driveways shall conform to the following requirements:
 - 1. Residential Districts
 - a. *Minimum Width.* All driveways shall have a minimum width of ten (10) feet.
 - b. *Maximum Width.* All driveways shall have a maximum width of twenty-two (22) feet at the point it intersects the right-of-way line. In the absence of platted right-of-way, the setback at which point the driveway width is measured shall be established by the prescriptive easement as determined by the City Engineer.
 - c. *Curb Cut.* A curb cut must not exceed the width of the driveway approach at the property line by more than ten (10) feet.
 - 2. Commercial and Mixed-Use Districts
 - a. *Minimum Width.* All driveways shall have a minimum width of twenty (20) feet.
 - b. *Maximum Width.* All driveways shall have a maximum width of thirty-four (34) feet at the point it intersects the right-of-way line.
 - c. *Curb Cut.* A curb cut must not exceed the width of the driveway approach at the property line by more than ten (10) feet.
- B. *Vertical Clearance.* There must be fourteen (14) feet of vertical clearance above all driveways.
- C. *Number of Curb Cuts.* In Residential Districts, each property shall be limited to one curb cut per dwelling unit. Exceptions may be allowed when neither access is onto a major street, and when the lot exceeds one hundred and fifty (150) feet in width or is a corner lot. All requests for a second curb cut shall be reviewed by the City Engineer.
- D. *Distance between Driveways.* The minimum distance between curbs of driveways at right-of-way line shall be 10 feet in any residential district. Lots that have been developed with zero lot line setbacks may be exempt from this provision. In all other districts, the minimum distance shall be 20 feet.

- E. *Distance from Intersection.* No driveway or curb cut shall be less than 20 feet from any right-of-way line of any street intersection, except that in high density residential, commercial and mixed-use zoning districts, the minimum distance shall be 50 feet.
- F. *Driveway Angle.* All driveways shall connect to the public street at 90 degree angles, or must be approved by the City Engineer. Exceptions must demonstrate an inability to meet the 90 degree angle due to extenuating circumstances.
- G. *Driveway Grade.* Driveways exceeding a grade of 10% must be approved by the City Engineer. Exceptions must demonstrate an inability to meet the 10% maximum grade due to extenuating circumstances.
- H. *Driveway Materials.*
 - 1. *Urban Districts.* All driveways shall be constructed of bitumen, concrete or a durable material approved by the City Engineer.
 - 2. *Rural Districts.* Driveways may be constructed of crushed rock or equivalent crushed material provided that the portion of the driveway within the road right-of-way shall be constructed of bitumen or concrete when accessing an improved street.
- I. *Curb Box, Residential Districts.* Curb boxes located within driveway shall be protected with an A1 Ford Lid or approved equal.
- J. *Control of Traffic.*
 - 1. Where other alternatives exist, commercial sites should not be accessed from local residential streets.
 - 2. Traffic shall be controlled to ensure that the location of driveways shall not constitute a hazard nor be injurious to adjacent residential uses.
- K. *Access to Major Streets (Thoroughfares).* On properties having frontage on both thoroughfares and minor roads, access shall be provided via the minor road unless otherwise approved by the City Engineer. Access may be restricted on any non-residential local road. The number and types of access drives onto major streets may be controlled and limited in the interests of public safety and efficient traffic flow.
- L. *State and County Highway Requirements.* Driveways constructed to access any street designated as a state or county highway shall meet all additional specifications of the appropriate jurisdiction. Access drives onto state and county roads shall require a review by the road authority and the City Engineer. The state, county and City Engineer shall determine the appropriate location, size and design of such access drives and may limit the number of access drives in the interest of public safety and efficient traffic flow.
- M. *Distance from Driveways to Side Lot Line.* A driveway must be at least 5 feet from any side lot line.
- N. *Emergency Vehicle Access.* Driveways to principal structures that traverse wooded, steep or open field areas shall be constructed and maintained to a width and base material depth sufficient to support access by emergency vehicles.


§ 93.27 Parking Areas

The parking restrictions applicable to driveways are stated in the zoning code and §§ 150.001 *et seq.*

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-096 was adopted on this third day of December 2013, by a vote of 7 Ayes and 0 Nays.

LAKE ELMO CITY COUNCIL



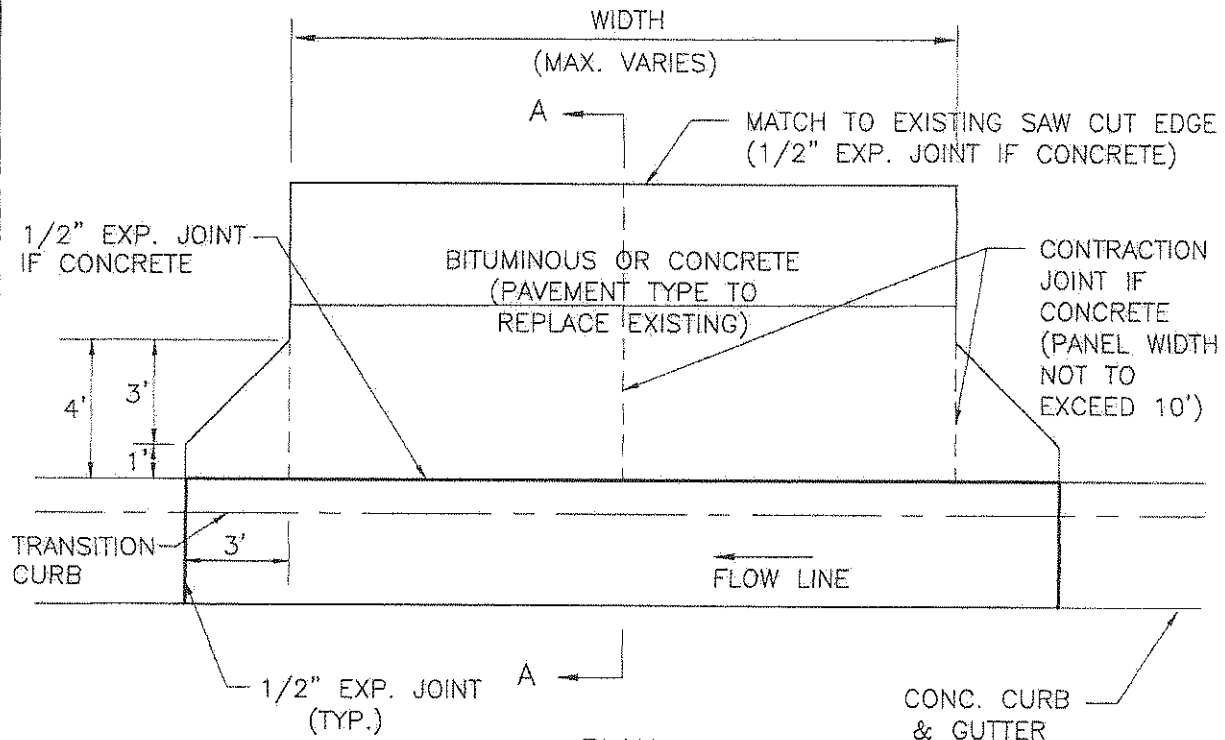
Mike Pearson, Mayor

ATTEST:

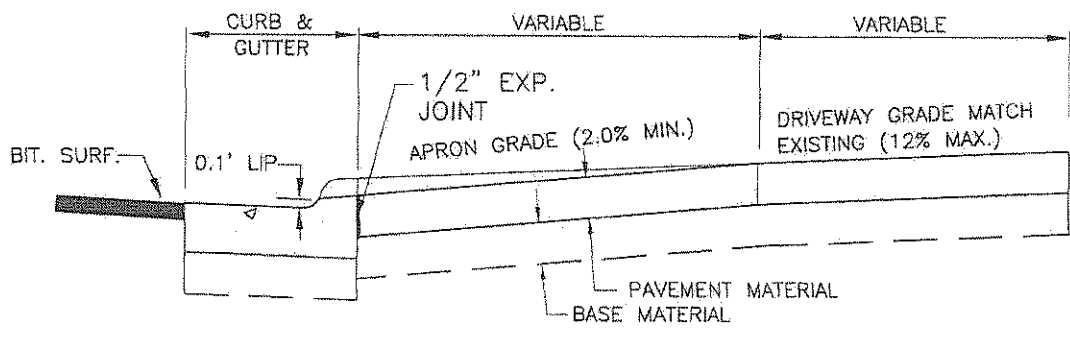


Adam Bell, City Clerk

This Ordinance 08-096 was published on the ____ day of _____, 2013.



PLAN



SECTION A-A

DRIVEWAY TYPE	SURFACE THICKNESS	BASE THICKNESS
BITUMINOUS	3 INCHES	6 INCHES
CONCRETE	6 INCHES	4 INCHES

- NOTES :
1. BITUMINOUS SHALL BE MNDOT 2360 TYPE SP, GRADATION MIXTURE NO. A WEARING COURSE.
 2. AGGREGATE BASE SHALL BE MNDOT 3138 CL. 5, 100% CRUSHED STONE.

RESIDENTIAL DRIVEWAY

FEBRUARY 2013



CITY OF LAKE ELMO

STANDARD DRAWING NO.

504

LAKE ELMO



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
CONSENT
ITEM #3
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$1,282,261.76
SUBMITTED BY: Cathy Bendel, Finance Director
THROUGH: Cathy Bendel, Finance Director
REVIEWED BY: Dean Zuleger, City Administrator

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: Finance

FISCAL IMPACT: \$1,282,261.76

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$1,282,261.76. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

LEGISLATIVE HISTORY: NA

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

Claim #	Amount	Description
ACH	\$ 14,275.20	Payroll Taxes to IRS & MN Dept of Revenue 1/9/14
ACH	\$ 6,359.56	Payroll Retirement to PERA 1/9/14
DD5225-DD5274	\$ 41,848.34	Payroll Dated (Direct Deposits) 1/9/14
40826 - 40827	\$ 8,768.50	Accounts Payable Manual 1/3/14 & 1/10/14
40828 - 40900	\$ 1,206,150.16	Accounts Payable 1/21/14
2146-2226	\$ 4,860.00	Library Card Reimbursement 1/21/14
TOTAL	\$ 1,282,261.76	

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$1,282,261.76

ATTACHMENTS:

1. Accounts Payable – check registers

Accounts Payable To Be Paid Proof List

User: denise
 Printed: 01/03/2014 - 10:29 AM
 Batch: 011-12-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
SPRINGBR Springborn Richie and Beth										
1/3/2014	01/03/2014	4,000.00	0.00	01/03/2014	Partial Escrow Refund 8970 55th St N		-			0000
803-000-0000-22900	Deposits Payable	4,000.00								No
	1/3/2014 Total:	4,000.00								
	SPRINGBR Total:	4,000.00								
	Report Total:	4,000.00								

Accounts Payable To Be Paid Proof List

User: denise

Printed: 01/10/2014 - 12:39 PM

Batch: 002-01-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
WERNERAU Werner Auction Group										
1/10/2014	01/10/2014	4,768.50	0.00	01/10/2014	5200 HD Thermal Image Camera & Charger		-			0000
101-420-2220-42400	Small Tools & Equipment	4,768.50								
	1/10/2014 Total:	4,768.50								
	WERNERAU Total:	4,768.50								
	Report Total:	4,768.50								

Accounts Payable To Be Paid Proof List

User: denise
 Printed: 01/16/2014 - 2:17 PM
 Batch: 003-01-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
AMERICAN American Eng and Testing, Inc.										
60817	12/23/2013	4,595.95	0.00	01/21/2014	Well No 4 Connecting Watermain		-	No		0000
601-494-9400-43030	Engineering Services									
60817 Total:										
60863	01/15/2014	4,595.95								
602-495-9450-43030	Engineering Services	1,855.00	0.00	01/21/2014	Sewer Infrastructure Improv I94-30th		-	No		0000
60863 Total:										
AMERICAN Total:										
<hr/>										
BAKERPAT Baker Patricia										
INVOICE 2013-12	01/08/2014	550.00	0.00	01/21/2014	Contract Services - Hours 22 2013-12		-	No		0000
101-410-1520-43150	Contract Services									
INVOICE 2013-12 Total:										
BAKERPAT Total:										
<hr/>										
BOLTONME Bolton & Menk, Inc										
0162699	12/20/2013	315.00	0.00	01/21/2014	Well No 4 Connecting Watermain		-	No		0000
601-494-9400-43030	Engineering Services									
0162699 Total:										
0162700	12/20/2013	315.00								
601-494-9400-43030	Engineering Services	6,687.00	0.00	01/21/2014	Section 34 Water & Sewer Utility Ext		-	No		0000
0162700	12/20/2013									
602-495-9450-43030	Engineering Services	10,030.50	0.00	01/21/2014	Section 34 Water & Sewer Utility Ext		-	No		0000
0162700 Total:										
BOLTONME Total:										
<hr/>										
C A C Companion Animal Control, LLC										
12	12/01/2013	500.00	0.00	01/21/2014	Animal Control Services - December		-	No		0000
101-420-2700-43150	Contract Services									
12 Total:										
500.00										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
C A C Total:		500.00								
CARQUEST Car Quest Auto Parts										
2055-308065	12/31/2013	50.65	0.00	01/21/2014	Lights-		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt	50.65								
2055-308065 Total:		50.65								
CARQUEST Total:		50.65								
COMCAST Comcast										
12/27/2013	12/27/2013	7.92	0.00	01/21/2014	Monthly Service - December 2013		-	No		0000
101-420-2220-44300	Miscellaneous	7.92								
12/27/2013 Total:		7.92								
COMCAST Total:		7.92								
CTYBLOOM City of Bloomington										
December 2013	12/31/2013	31.50	0.00	01/21/2014	Lab Bacteria Test		-	No		0000
601-494-9400-42270	Utility System Maintenance	31.50								
December 2013 Total:		31.50								
CTYBLOOM Total:		31.50								
CTYMAPLE City of Maplewood										
007130	12/31/2013	50.32	0.00	01/21/2014	Keats MSA Street		-	No		0000
409-480-8000-43030	Engineering Services	50.32								
007130	12/31/2013	37.96	0.00	01/21/2014	Keats Trunk Watermain		-	No		0000
601-494-9400-43030	Engineering Services	37.96								
007130 Total:		88.28								
CTYMAPLE Total:		88.28								
CTYOAKDA City of Oakdale										
1000460-01	12/31/2013	2,805.61	0.00	01/21/2014	Water Service 1-94 December 2013		-	No		0000
601-494-9400-43820	Water Utility	2,805.61								
1000460-01 Total:		2,805.61								
CTYOAKDA Total:		2,805.61								
EMERGAUT Emergency Automotive Tech, Inc										
AW121713-4	12/17/2013	353.38	0.00	01/21/2014	Light Bar -04-1		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt	353.38								
AW121713-4 Total:		353.38								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
EMERGAUT Total:		353.38								
EMMONS&O Emmons & Olivier Resources Inc	12/18/2013	76.00	0.00	01/21/2014	2012.130 Savona Lennar Dev SW Grading		-	No		0000
803-000-0000-22900 Deposits Payable		76.00								
0156562 Total:		76.00								
EMMONS&O Total:		76.00								
FXL FXL, Inc.										
December 2013	12/21/2013	16,908.20	0.00	01/21/2014	Assessment Services - Final 2013		-	No		0000
101-410-1320-43100 Assessing Services		16,908.20								
December 2013 Total:		16,908.20								
FXL Total:		16,908.20								
GREATAME Great American Marine Inc										
36449	12/31/2013	895.00	0.00	01/21/2014	Lightbar for Boat		-	No		0000
101-420-2220-42400 Small Tools & Equipment		895.00								
36449 Total:		895.00								
GREATAME Total:		895.00								
HACH HACH Company										
8608482	12/11/2013	544.89	0.00	01/21/2014	Lab Test Supplies		-	No		0000
601-494-9400-42160 Chemicals		544.89								
8608482 Total:		544.89								
HACH Total:		544.89								
HOLIDAYC Holiday Credit Office										
12/15/2013	12/15/2013	178.87	0.00	01/21/2014	Fuel - Fire Department		-	No		0000
101-420-2220-42120 Fuel, Oil and Fluids		178.87								
12/15/2013 Total:		178.87								
HOLIDAYC Total:		178.87								
JOHNSON& Johnson & Turner Attorneys										
31940	01/08/2014	4,549.47	0.00	01/21/2014	Legal Services - Prosecution #31940		-	No		0000
101-420-2150-43045 Attorney Criminal		4,549.47								
31940 Total:		4,549.47								
31944	01/08/2014	30.00	0.00	01/21/2014	Legal Services - 3M #31944		-	No		0000
601-494-9400-43040 Legal Services		30.00								
31944 Total:		30.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
31945	01/08/2014	356.00	0.00	01/21/2014	Legal Services - Library #31945		-	No		0000
206-450-5300-43040	Legal Services									
	31945 Total:	356.00								
31952	01/08/2014	1,821.00	0.00	01/21/2014	Legal Services - Civil Inv #31952		-	No		0000
101-410-1320-43040	Legal Services									
	31952 Total:	1,821.00								
31954	01/08/2014	97.50	0.00	01/21/2014	Legal Services - Lennar Project Status		-	No		0000
409-480-8000-43040	Legal Services									
	31954 Total:	97.50								
32359	01/08/2014	145.00	0.00	01/21/2014	Legal Services - Sewer Line Waivers		-	No		0000
409-480-8000-43040	Legal Services									
	32359 Total:	145.00								
	JOHNSON& Total:	6,998.97								
JOSTENS Jostens										
LEFD13	09/20/2013	869.39	0.00	01/21/2014	20 Year Service Ring		-	No		0000
101-420-2220-44300	Miscellaneous									
	LEFD13 Total:	869.39								
	JOSTENS Total:	869.39								
KAMCO Kamco, Corp										
3962	12/28/2013	800.00	0.00	01/21/2014	Cut Down Storm Damaged Cottonwoods		-	No		0000
101-430-3120-43150	Contract Services									
	3962 Total:	800.00								
	KAMCO Total:	800.00								
KREMER Kremer Services, LLC										
29057	12/30/2013	418.02	0.00	01/21/2014	Spring Replace on 86-1 Dump Truck		-	No		0000
101-430-3125-42210	Equipment Parts									
	29057 Total:	418.02								
	KREMER Total:	418.02								
LEOIL Lake Elmo Oil, Inc.										
12/31/2013	12/31/2013	328.26	0.00	01/21/2014	Fuel -		-	No		0000
101-420-2220-42120	Fuel, Oil and Fluids									
	12/31/2013 Total:	328.26								
5076330	12/26/2013	41.83	0.00	01/21/2014	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5076330 Total:	41.83								
5676128	12/19/2013	30.00	0.00	01/21/2014	Fuel -		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	5676128 Total:	30.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
5676139	12/18/2013	37.00	0.00	01/21/2014	Fuel -		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids	37.00								
	5676139 Total:	437.09								
	LEOIL Total:									
Lillie Newspapers Inc. Lillie Suburban										
Acct No 007148	12/31/2013	55.90	0.00	01/21/2014	12/8 Notice - Inwood Booster Station		-	No		0000
101-410-1320-43510	Legal Publishing	13.20	0.00	01/21/2014	12/25 Ordinance #08-097		-	No		0000
Acct No 007148	12/31/2013	19.80	0.00	01/21/2014	1/1 Notice - Planning Commission		-	No		0000
101-410-1320-43510	Legal Publishing	88.90								
	Acct No 007148 Total:	88.90								
	Lillie Total:									
LOFF Loffler Companies, Inc.										
1678216	01/02/2014	471.96	0.00	01/21/2014	Copy Machines Contract&Over 12/10-1/9		-	No		0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt	471.96								
	1678216 Total:	471.96								
	LOFF Total:									
LTLFALLS Little Falls Machine, Inc										
52554	12/27/2013	241.94	0.00	01/21/2014	Scrapper Hangers & Hardware		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt	241.94								
	52554 Total:	241.94								
	LTLFALLS Total:									
MARONEYS Maroney's Sanitation, Inc										
505823	01/02/2014	108.32	0.00	01/21/2014	Waste Removal - City Hall		-	No		0000
101-410-1940-43840	Refuse	47.68	0.00	01/21/2014	Waste Removal - Fire		-	No		0000
505823	01/02/2014	207.82	0.00	01/21/2014	Waste Removal - Public Works		-	No		0000
101-420-2220-43840	Refuse	207.82	0.00	01/21/2014	Waste Removal - Parks		-	No		0000
505823	01/02/2014	48.12	0.00	01/21/2014	Waste Removal - Library		-	No		0000
101-430-3100-43840	Refuse	619.76								
505823	01/02/2014	619.76								
101-450-5200-43840	Refuse									
505823	01/02/2014									
206-450-5300-43840	Refuse									
	505823 Total:	619.76								
	MARONEYS Total:	619.76								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MILLEREX Miller Excavating, Inc. 17844 12/31/2013 601-494-9400-44030 Repairs/Maint Imp Not Bldgs 17844 Total: MILLEREX Total:		2,190.55 2,190.55 2,190.55	0.00	01/21/2014	Water Main Excavation & Materials Layton		-	No		0000
MINGERCO Minger Construction Inc Pay Request No4 12/01/2013 602-495-9450-43030 Engineering Services Pay Request No4 Total: MINGERCO Total:		486,505.26 486,505.26 486,505.26	0.00	01/21/2014	Lake Elmo Ave Sewer Infras Imp 4th Pay		-	No		0000
NASALTCO North American Salt Company 71083125 12/25/2013 101-430-3125-42290 Sand/Salt 71083125 Total: 71088371 12/31/2013 101-430-3125-42290 Sand/Salt 71088371 Total: NASALTCO Total:		3,696.63 3,696.63 1,834.99 1,834.99 5,531.62	0.00	01/21/2014	Road Salt Road Salt		-	No		0000
NELSONMA Nelson Marine 22612 12/26/2013 101-420-2220-42400 Small Tools & Equipment 22612 Total: NELSONMA Total:		580.01 580.01 580.01	0.00	01/21/2014	Battery, Battery Box & Recharge kit boat		-	No		0000
ONECALL Gopher State One Call 86265 12/31/2013 101-430-3100-43150 Contract Services 86265 Total: ONECALL Total:		39.25 39.25 39.25	0.00	01/21/2014	FTP Tickets - December 2013		-	No		0000
OURTEAMA Our Team Advantage Inc. 438 12/25/2013 101-430-3125-43150 Contract Services 438 Total: OURTEAMA Total:		805.00 805.00 805.00	0.00	01/21/2014	Contract Snow Plowing		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
REDSTONE Redstone Construction Co. Inc										
Pay request No3	01/01/2014	126,211.40	0.00	01/21/2014	Section 34 Water & Sewer Utility Ext Imp		-	No		0000
601-494-9400-43030 Engineering Services										
Pay request No3	01/01/2014	189,317.09	0.00	01/21/2014	Section 34 Water & Sewer Utility Ext Imp		-	No		0000
602-495-9450-43030 Engineering Services										
Pay request No3 Total:		315,528.49								
REDSTONE Total:		315,528.49								
RENLUNDT Renlund Terry										
14	01/02/2014	364.50	0.00	01/21/2014	Building Inspector Services Dec 26;27;30		-	No		0000
101-420-2400-43150 Inspector Contract Services										
14	01/02/2014	116.96	0.00	01/21/2014	Building Inspector Mileage Dec 26;27;30		-	No		0000
101-420-2400-43310 Mileage										
14 Total:		481.46								
RENLUNDT Total:		481.46								
RIVRCOOP River Country Cooperative										
12/31/2013	12/31/2013	295.79	0.00	01/21/2014	Fuel -		-	No		0000
101-420-2220-42120 Fuel, Oil and Fluids										
12/31/2013 Total:		295.79								
RIVRCOOP Total:		295.79								
SAFEFAST Safe-Fast, Inc.										
INV 134330	12/26/2013	161.61	0.00	01/21/2014	Ice Grippers & Safety Glasses		-	No		0000
101-450-5200-42150 Shop Materials										
INV 134330 Total:		161.61								
SAFEFAST Total:		161.61								
SAMSCULUB Sam's Club										
12/17/2013	01/07/2014	21.30	0.00	01/21/2014	Phone Charger		-	No		0000
101-420-2220-42400 Small Tools & Equipment										
12/17/2013 Total:		21.30								
12/30/2013	01/07/2014	10.98	0.00	01/21/2014	Restock Rehab Supplies		-	No		0000
101-420-2220-44300 Miscellaneous										
12/30/2013	01/07/2014	78.22	0.00	01/21/2014	RestockStation Supplies		-	No		0000
101-420-2220-44010 Repairs/Maint Bldg										
12/30/2013	01/07/2014	25.65	0.00	01/21/2014	Ice Melt for Trucks		-	No		0000
101-420-2220-42400 Small Tools & Equipment										
12/30/2013	01/07/2014	7.48	0.00	01/21/2014	Supplies		-	No		0000
101-430-3100-42000 Office Supplies										
12/30/2013 Total:		122.33								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
SAMSCLUB Total:		143.63								
SHI SHI International Corp										
B01592525	12/19/2013	188.54	0.00	01/21/2014	1 - Acrobat XI Std software - Admin		-	No		0000
101-410-1320-43190	Software Programs									
B01592525 Total:		188.54								
SHI Total:		188.54								
TEIL-ANDM TEI Landmark Audio										
1179731	12/20/2013	164.02	0.00	01/21/2014	Audio Books (15)		-	No		0000
206-450-5300-42500	Library Collection Maintenance									
1179731 Total:		164.02								
TEIL-ANDM Total:		164.02								
TKDA TKDA, Inc.										
002013004149	10/09/2013	130.93	0.00	01/21/2014	General Engineering Serv-Records & Data		-	No		0000
101-410-1930-43030	Engineering Services									
002013004149 Total:		130.93								
002013004150	10/02/2013	3,580.92	0.00	01/21/2014	2013.123 Lake Elmo Ave Sewer Infra Imp		-	No		0000
602-495-9450-43030	Engineering Services									
002013004150 Total:		3,580.92								
TKDA Total:		3,711.85								
TRI-P Tri State Pump & Control Inc.										
34822	01/02/2014	8,564.50	0.00	01/21/2014	94 Lift Station Pump Repair		-	No		0000
602-495-9450-44030	Repairs\Maint Imp Not Bldgs									
34822 Total:		8,564.50								
TRI-P Total:		8,564.50								
TWINGAR Twin City Garage Door Corp.										
406838	12/23/2013	379.24	0.00	01/21/2014	Repair Garage Door Station #1		-	No		0000
101-420-2220-44010	Repairs\Maint Bldg									
406838 Total:		379.24								
TWINGAR Total:		379.24								
VALLEYTR Valley Trophy Inc.										
44919	12/05/2013	573.60	0.00	01/21/2014	Employee Recognition Awards - 2013		-	No		0000
101-410-1320-44380	Staff Development									
44919 Total:		573.60								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
VALLEYTR Total:		573.60								
<hr/>										
VOSSDAN Voss Dan	01/01/2014	400.00	0.00	01/21/2014	Snow Removal	Dec 2013	-	No		0000
855860	Contract Services									
206-450-5300-43150		400.00								
	855860 Total:	400.00								
	VOSSDAN Total:	400.00								
<hr/>										
WAS-SHER Washington County	12/30/2013	10.75	0.00	01/21/2014	Code Red - Notification- Training Burn		-	No		0000
77742	Conferences & Training									
101-420-2220-44370	77742 Total:	10.75								
	WAS-SHER Total:	10.75								
<hr/>										
WASH-REC Washington County	12/06/2013	46.00	0.00	01/21/2014	Easement on Lot 6 -St Croix Sanctuary		-	No		0000
P245080	Printed Forms									
101-410-1910-42030	P245080 Total:	46.00								
	12/16/2013	46.00	0.00	01/21/2014	Easement -		-	No		0000
P245874	Printed Forms									
101-410-1910-42030	P245874 Total:	46.00								
	12/30/2013	52.65	0.00	01/21/2014	QCD -		-	No		0000
P246796	Printed Forms									
101-410-1910-42030	P246796 Total:	52.65								
	12/31/2013	52.65	0.00	01/21/2014	QCD -		-	No		0000
P246995	Printed Forms									
101-410-1910-42030	P246995 Total:	52.65								
	WASH-REC Total:	197.30								
<hr/>										
WASHCONS Washington Conservation Dist.	12/31/2013	556.25	0.00	01/21/2014	4th of Four Quarter Billings Shared		-	No		0000
2813	Conferences & Training									
603-496-9500-44370	2813 Total:	556.25								
	WASHCONS Total:	556.25								
<hr/>										
WATERCON Water Conservation Svs Inc.	01/05/2014	272.40	0.00	01/21/2014	Leak Detection Service - WM Break		-	No		0000
4541	Miscellaneous									
601-494-9400-44300	4541 Total:	272.40								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
WATERCON Total:		272.40								
WEEKSEND Weeks-End Signs & Graphics										
1878	11/13/2013	154.96	0.00	01/21/2014	City Logo Graphics		-		No	0000
601-494-9400-45200 Building and Structures		154.96								
1878 Total:		154.96								
WEEKSEND Total:										
XCEL Xcel Energy										
12/27/2013	12/27/2013	68.19	0.00	01/21/2014	Xcel -Lights at Legion Park-3509 Laverne		-		No	0000
101-450-5200-43810 Electric Utility	12/27/2013	17.32	0.00	01/21/2014	Xcel -Lift Station - 8860 Hudson		-		No	0000
602-495-9450-43810 Electric Utility	12/27/2013	56.73	0.00	01/21/2014	Xcel -Traffic Lights - 100 Inwood		-		No	0000
101-430-3160-43810 Street Lighting	12/27/2013	10.66	0.00	01/21/2014	Xcel -Street Lights - 3014 Jamley		-		No	0000
12/27/2013	12/27/2013	1,162.45	0.00	01/21/2014	Xcel - Fire Station 2 4259 Jamaica		-		No	0000
101-420-2220-43810 Electric Utility	12/27/2013	296.33	0.00	01/21/2014	Xcel - City Hall 3800 Laverne		-		No	0000
101-410-1940-43810 Electric Utility	12/27/2013	18.90	0.00	01/21/2014	Xcel - Traffic Lights 100 Keats		-		No	0000
12/27/2013	12/27/2013	695.24	0.00	01/21/2014	Xcel - City Hall 3800 Laverne		-		No	0000
101-430-3160-43810 Street Lighting	12/27/2013	1.33	0.00	01/21/2014	Xcel - Tennis Courts 3510 Laverne		-		No	0000
12/27/2013	12/27/2013	66.82	0.00	01/21/2014	Xcel - Parks Bldg - 11194 Upper 33rd		-		No	0000
101-450-5200-43810 Electric Utility	12/27/2013	-6.64	0.00	01/21/2014	Xcel - Pebble Park - 8170 Lake Jane Tr		-		No	0000
12/27/2013	12/27/2013	325.43	0.00	01/21/2014	Xcel - Wells 1&2 3303 Langly & 11975 55		-		No	0000
601-494-9400-43810 Electric Utility	12/27/2013	310.78	0.00	01/21/2014	Xcel - Fire Station 1 3510 Laverne		-		No	0000
12/27/2013	12/27/2013	28.55	0.00	01/21/2014	Xcel - Traffic Lights 998 Inwood		-		No	0000
101-420-2220-43810 Electric Utility	12/27/2013	157.24	0.00	01/21/2014	Xcel - Arts Center - 3585 Laverne		-		No	0000
101-430-3160-43810 Street Lighting	12/27/2013	9.76	0.00	01/21/2014	Xcel Lift Station - 11062 34th St		-		No	0000
12/27/2013	12/27/2013	-9.88	0.00	01/21/2014	Xcel Lift Station - 2759 Legion Ave		-		No	0000
101-450-5200-43810 Electric Utility	12/27/2013									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
12/27/2013	12/27/2013	655.91	0.00	01/21/2014	Xcel Lift Station	3510 Laverne	-			0000
101-420-2220-43810	Electric Utility									No
12/27/2013	12/27/2013	296.96	0.00	01/21/2014	Xcel Legion Park	3511 Laverne	-			0000
101-450-5200-43810	Electric Utility									No
12/27/2013	12/27/2013	580.95	0.00	01/21/2014	Xcel Street Lights	-	-			0000
101-430-3160-43810	Street Lighting									No
12/27/2013	12/27/2013	13.34	0.00	01/21/2014	Xcel Traffic - Manning & Stillwater Blv		-			0000
101-430-3160-43810	Street Lighting									No
12/27/2013	12/27/2013	4.99	0.00	01/21/2014	Xcel Traffic - VFW Ballfield-3675 Layton		-			0000
101-450-5200-43810	Electric Utility									No
12/27/2013	12/27/2013	-64.10	0.00	01/21/2014	Xcel Traffic -VFW Ballfield-3675 Layton		-			0000
101-450-5200-43810	Electric Utility									No
12/27/2013	12/27/2013	1,593.69	0.00	01/21/2014	Xcel Traffic -Public Wks 3400 Ideal		-			0000
101-430-3100-43810	Electric Utility									No
12/27/2013	12/27/2013	118.94	0.00	01/21/2014	Xcel Water Tower 2	3445 Ideal Ave	-			0000
601-494-9400-43810	Electric Utility									No
12/27/2013	12/27/2013	3.72	0.00	01/21/2014	Xcel Speed Sign Hwy 5	10901 Stillwater	-			0000
101-430-3160-43810	Street Lighting									No
12/27/2013	12/27/2013	19.58	0.00	01/21/2014	Xcel Welcome Sign	425 Keats	-			0000
101-430-3160-43810	Street Lighting									No
12/27/2013	12/27/2013	615.26	0.00	01/21/2014	Xcel Library	3537 Lake Elmo Ave	-			0000
206-450-5300-43810	Electric Utility									No
	12/27/2013 Total:	7,048.45								
	XCEL Total:	7,048.45								
	Report Total:	891,904.31								

Accounts Payable To Be Paid Proof List

User: denise

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Batch: 004-01-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
WAS-SHER Washington County 77946	01/14/2014	251,242.32	0.00	01/21/2014	July - December 2013 Police Services		-			0000
101-420-2100-43150	Law Enforcement Contract	251,242.32								
	77946 Total:	251,242.32								
	WAS-SHER Total:	251,242.32								
	Report Total:	251,242.32								

Accounts Payable To Be Paid Proof List

User: denise
 Printed: 01/16/2014 - 2:51 PM
 Batch: 005-01-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
CARQUEST Car Quest Auto Parts											
2055-308499	01/07/2014	324.59	0.00	01/21/2014	Radiator & Cat converter repairs - 00-2	-	-	No		No	0000
101-450-5200-42120	Fuel, Oil and Fluids										
	2055-308499 Total:	324.59									
2055-308550	01/07/2014	90.03	0.00	01/21/2014	Battery	-	-	No		No	0000
101-450-5200-42120	Fuel, Oil and Fluids										
	2055-308550 Total:	90.03									
2055-308554	01/07/2014	5.59	0.00	01/21/2014	Exhaut Gasket 00-2	-	-	No		No	0000
101-450-5200-42120	Fuel, Oil and Fluids										
	2055-308554 Total:	5.59									
	CARQUEST Total:	420.21									
CONLEYMO Conley Morgan											
Cable Op 1/6/14	01/06/2014	55.00	0.00	01/21/2014	Cable Operations-1/6/14 CC Meeting (4hr)	-	-	No		No	0000
101-410-1450-43620	Cable Operations										
	Cable Op 1/6/14 Total:	55.00									
Cable Op 1/13/14	01/13/2014	55.00	0.00	01/21/2014	Cable Operations-1/13/14 Plan Comm (4hr)	-	-	No		No	0000
101-410-1450-43620	Cable Operations										
	Cable Op 1/13/14 Total:	55.00									
	CONLEYMO Total:	110.00									
CTYROSEV City of Roseville											
0218204	01/06/2014	113.97	0.00	01/21/2014	Domain Name Renewal 3 yrs	-	-	No		No	0000
101-410-1450-43180	Information Technology/Web										
	0218204 Total:	113.97									
0218244	01/06/2014	2,635.58	0.00	01/21/2014	Monthly IT Services - Jan 2014	-	-	No		No	0000
101-410-1450-43180	Information Technology/Web										
	0218244 Total:	2,635.58									
0218282	01/08/2014	87.10	0.00	01/21/2014	Monthly Telephone-Admin - Jan 2014	-	-	No		No	0000
101-410-1320-43210	Telephone										
0218282	01/08/2014	13.75	0.00	01/21/2014	Monthly Telephone-Building Insp Jan 2014	-	-	No		No	0000
101-420-2400-43210	Telephone										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
0218282	01/08/2014	13.75	0.00	01/21/2014	Monthly Telephone-Communication Jan 14		-			0000
101-410-1450-43210	Telephone									No
0218282	01/08/2014	13.75	0.00	01/21/2014	Monthly Telephone-Engineering Jan 2014		-			0000
101-410-1930-43210	Telephone									No
0218282	01/08/2014	27.50	0.00	01/21/2014	Monthly Telephone-Finance Jan 2014		-			0000
101-410-1520-43210	Telephone									No
0218282	01/08/2014	38.15	0.00	01/21/2014	Monthly Telephone-Planning Jan 2014		-			0000
101-410-1910-43210	Telephone									No
0218282	01/08/2014	181.75	0.00	01/21/2014	Monthly Telephone-Public Wks Jan 2014		-			0000
101-430-3100-43210	Telephone									No
	0218282 Total:	375.75								
	CTYROSEV Total:	3,125.30								
	DERRICK Derrick Custom Homes									
01/02/2014	01/02/2014	5,000.00	0.00	01/21/2014	Refund Escrow#7829 8311 21st Street		-			0000
803-000-0000-22900	Deposits Payable									No
	01/02/2014 Total:	5,000.00								
	DERRICK Total:	5,000.00								
	DONALDSA Donald Salverda & Associates									
Jan 6 2014	01/06/2014	600.00	0.00	01/21/2014	Enrollment D Zulleger East Metro Mgr		-			0000
101-410-1320-44370	Conferences & Training									No
	Jan 6 2014 Total:	600.00								
	DONALDSA Total:	600.00								
	ENVENTIS Enventis									
Acct 738507	01/01/2014	53.46	0.00	01/21/2014	Telephone/Data Service-City Hall -Jan		-			0000
101-410-1940-43210	Telephone									No
	Acct 738507 Total:	53.46								
	ENVENTIS Total:	53.46								
	EQUINOX Equinox Software									
3416	01/13/2014	3,100.00	0.00	01/21/2014	ILS Platform Support -1 Yr Renewal- Librar		-			0000
206-450-5300-43180	Information Technology									No
	3416 Total:	3,100.00								
	EQUINOX Total:	3,100.00								
	FIORILLO Fiorillo Megan									
Cable Op1/14/14	01/14/2014	34.38	0.00	01/21/2014	Cable Operations-1/14/14 CC		-			0000
101-410-1450-43620	Cable Operations									No
	Cable Op1/14/14 Total:	34.38								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
FIORILLO Total:		34.38								
FRANCOTY Francotyp-Postalia, Inc										
RH01811981	01/05/2014	247.30	0.00	01/21/2014	Postbase Inkjet Cartridge		-	No		0000
101-410-1320-43220	Postage									
RH01811981 Total:		247.30								
FRANCOTY Total:		247.30								
JTRROOFI JTR Roofing Inc										
01012014	01/01/2014	4,272.00	0.00	01/21/2014	Roof Repair & Gutter Replace		-	No		0000
206-450-5300-42185	Software				Downpymt					
01012014 Total:		4,272.00								
JTRROOFI Total:		4,272.00								
LMCJT League of MN Cities Ins. Trust										
200012333	01/16/2014	34,341.00	0.00	01/21/2014	Worker's Compensation - 2014		-	No		0000
101-000-0000-20600	Contracts Payable									
200012333 Total:		34,341.00								
VL00012305	01/16/2014	214.67	0.00	01/21/2014	Accident Plan for Volunteers		-	No		0000
101-410-1320-43610	Insurance									
VL00012305	01/16/2014	214.67	0.00	01/21/2014	Accident Plan for Volunteers		-	No		0000
204-450-5200-43610	Insurance									
VL00012305	01/16/2014	214.66	0.00	01/21/2014	Accident Plan for Volunteers		-	No		0000
206-450-5300-43630	Insurance									
VL00012305 Total:		644.00								
LMCJT Total:		34,985.00								
MARVS Marv's Professional Tools										
266477	11/14/2013	9.00	0.00	01/21/2014	Tools		-	No		0000
101-430-3100-42400	Small Tools & Minor Equipment									
266477 Total:		9.00								
267922	01/07/2014	68.55	0.00	01/21/2014	Tools		-	No		0000
101-430-3100-42400	Small Tools & Minor Equipment									
267922 Total:		68.55								
MARVS Total:		77.55								
MBFTE MBFTE										
01/14/14	01/14/2014	75.00	0.00	01/21/2014	License Renewal,Chief Malmquist		-	No		0000
101-420-2220-44330	Dues & Subscriptions									
01/14/14 Total:		75.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MBFTE Total:		75.00								
MENARDSO Menards - Oakdale										
35360	01/02/2014	27.64	0.00	01/21/2014	Shop Supplies		-		No	0000
101-450-5200-44010 Repairs/Maint Bldg										
35360 Total:		27.64								
35679	01/07/2014	59.94	0.00	01/21/2014	Lights Council Chambers		-		No	0000
101-410-1940-42230 Building Repair Supplies										
35679 Total:		59.94								
35696	01/07/2014	104.03	0.00	01/21/2014	Ballast Council Chambers		-		No	0000
101-410-1940-42230 Building Repair Supplies										
35696 Total:		104.03								
MENARDSO Total:		191.61								
METCOU Metropolitan Council										
1029326	01/03/2014	1,550.84	0.00	01/21/2014	Monthly Wastewater Service-Feb 2014		-		No	0000
602-495-9450-43820 Sewer Utility - Met Council										
1029326 Total:		1,550.84								
METCOU Total:		1,550.84								
METRO MU Metro Cities										
36	01/08/2014	3,397.00	0.00	01/21/2014	Mbrship Dues - Jan 2014- Dec 2014		-		No	0000
101-410-1110-44330 Dues & Subscriptions										
36 Total:		3,397.00								
METRO MU Total:		3,397.00								
MILLEREX Miller Excavating, Inc.										
17881	01/09/2014	3,025.88	0.00	01/21/2014	Water Main Excav&Materials 33rd- Kraft Ct		-		No	0000
601-494-9400-44030 Repairs\Maint Imp Not Bldgs										
17881 Total:		3,025.88								
MILLEREX Total:		3,025.88								
ONECALL Gopher State One Call										
91440	01/15/2014	100.00	0.00	01/21/2014	Annual Fee - 2014		-		No	0000
101-430-3100-44330 Dues & Subscriptions										
91440 Total:		100.00								
ONECALL Total:		100.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
OURTEAMA Our Team Advantage Inc.										
545	01/08/2014	805.00	0.00	01/21/2014	Contract Snow Plowing - 1/3/14		-	No		0000
101-430-3125-43150	Contract Services									
	545 Total:	805.00								
	OURTEAMA Total:	805.00								
S&T S&T Office Products, Inc.										
01QD8855-8854	01/07/2014	173.70	0.00	01/21/2014	Office Supplies - Administration		-	No		0000
101-410-1320-42000	Office Supplies									
	01QD8855-8854 Total:	173.70								
	S&T Total:	173.70								
TDS TDS Metrocom - LLC										
651-779-8882	01/13/2014	147.41	0.00	01/21/2014	Analog Lines - Fire		-	No		0000
101-420-2220-43210	Telephone									
651-779-8882	01/13/2014	239.20	0.00	01/21/2014	Analog Lines - Public Works		-	No		0000
101-430-3100-43210	Telephone									
651-779-8882	01/13/2014	135.96	0.00	01/21/2014	Analog Lines - Lift Station Alarms		-	No		0000
602-495-9450-43210	Telephone									
651-779-8882	01/13/2014	47.51	0.00	01/21/2014	Alarm-Well House #2		-	No		0000
601-494-9400-43210	Telephone									
	651-779-8882 Total:	570.08								
	TDS Total:	570.08								
TOWNCTRY Town & Country Cleaning Co										
114 466	01/01/2014	230.00	0.00	01/21/2014	Janitorial Service - City Hall Jan 2014		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	114 466 Total:	230.00								
114 509	01/01/2014	175.00	0.00	01/21/2014	Janitorial Service - Library Jan 2014		-	No		0000
206-450-5300-44010	Repairs/Maint Bldg									
	114 509 Total:	175.00								
	TOWNCTRY Total:	405.00								
WAS-SHER Washington County										
77841	01/01/2014	634.22	0.00	01/21/2014	2014 Code Red Fee		-	No		0000
101-420-2100-43150	Law Enforcement Contract									
	77841 Total:	634.22								
	WAS-SHER Total:	634.22								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
WASHFIRE Fire Chiefs Association Washington 01092014 101-420-2220-44330	01/09/2014 Dues & Subscriptions 01092014 Total:	50.00 50.00 50.00	0.00	01/21/2014	Annual Dues Wash Cty Fire Chief Assn		-		No	0000
WASHFIRE Total:										

Report Total: 63,003.53



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
CONSENT
ITEM #4
MOTION

AGENDA ITEM: December 2013 Financial Reporting

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: Finance

FISCAL IMPACT: NA

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the December 2013 Financial Reporting Packet. No specific motion is needed as this is recommended to be part of the overall approval of the *Consent Agenda*.

BACKGROUND INFORMATION: The City of Lake Elmo has fiduciary authority and responsibility to conduct normal business operations and report the financial (unaudited) statement to the City Council. City guidelines suggest the Council be updated on a regular basis.

STAFF REPORT: Attached please find a summary of what is currently projected to be the 2013 year end surplus. In addition is the comparative report for December reflecting the monthly and year to date detail, comparing the actual results to the 2013 Budget. Please note that some minor adjustments will be necessary as part of the normal year end close process but the numbers should be substantially complete.

The most significant variances are highlighted below:

Revenues:

- Building Permit revenue for the month was 4% above budget. On a year to date basis actual activity continues to be above plan by 12%.
- Utility Permit revenue for the month and year to date continues to be well above budget due to the extensive development work along Hudson Boulevard and the need to relocate numerous utilities. These amounts represent the ROW permit fees.
- As a reminder, although the state fire aid revenue is above budget, the net impact to the General Fund is zero due 100% of those funds being forwarded on to the Fire Relief Fund.
- Plan review fees for the month were 50% above budget bringing the year to date revenue to 40% above budget.
- Fines for the month were 46% above budget due to accruing the January funds received for December fines into the year-end number. On a year to date basis the fine revenue was under budget due to the decrease in number of fines issued which is a good trend.
- Interest earnings have not been calculated as all of the year end investment statements have yet to be received.

Expenses:

Most departments continue to be below budget for the month and on a year to date basis as all Departments continue to be very cost conscious. A few key items to note:

- The membership with the Greater MSP was recently renewed for 2013 and is included in the Mayor and Council department expenses. This expense was not included in the 2013 budget.
- Assessor costs under the Administration department for the month were above plan as the budget did not include the final true up for the year in it projections. Currently the assessor is paid a flat \$2k per month with the balance due in December based on the parcels in the City.
- Legal Publishing costs for the Administration department are higher than budget for the month and on a year to date basis due to the increased codification activity related to the initiative to update the City Code.
- On a year to date basis the elections expenses are below plan due to the decision to not add the new precincts which were budgeted for. It is anticipated that these precincts will be added in the 2015-2016 election season.

- On a year to date basis, the newsletter expenses in the Communication department are \$7.5k below plan due to strategic issuance of the newsletter and some significant cost savings with the vendor.
- The Planning Department has incurred expenses above the amounts budgeted for many expense items due to the City expansion initiative. The majority of the expenses were related to additional staffing needs, external Engineering support and Contractor expenses.
- For the 2013 budget all of the telephone expense was budgeted under the City Hall department. In 2013 it was decided to track actual expenses within each department. As a result, the telephone expenses reported under City Hall look under budget while the other departments look over budget. Overall, the total expense was very close to budget.
- The law enforcement contracted costs were budget at \$560k for the year for support from Washington County. The actual costs incurred were \$497k resulting in a savings of \$63k.
- Conferences and training for the Fire Department for the year appear to be under budget by \$9.1k but this is a result of booking the receipt of county reimbursements back to the departmental expense rather than reporting it as income.
- Engineering costs are above budget in the Building Inspection department on a year to date basis by \$8.1k due to all the additional work necessary due to the growth initiative.
- Inspector contract services were not budgeted in 2013 resulting in a variance to budget of \$7.1k. These costs are to ensure there is no interruption of service when the City Inspector is out of the office as well as to assist when volumes necessitate more help.
- The Cost for the Permit Works software and licenses of \$16.3k is reflected in the year to date Info technology costs for the Building Inspection department. This expense was not budgeted.
- Personnel costs in the Public Works department were above budget for the year due to a large number of unforeseen weather events.
- On a year to date basis the street maintenance material costs were \$11.8k above budget due to the street repair initiative in 2013.
- Sand and salt for the month came in over budget by \$34.4k due to the constant snow and ice in December. Also impacted were the fuel costs and the repairs and maintenance on the equipment.

- Under repairs and maintenance under the Parks and Recreation department there is a \$1k credit for the insurance funds received toward the repairs made related to the storm damage last summer.
- The \$200k loan repayment is reflected under other financing for the month of December. This represents the second of three installments toward paying back the internal loan.
- Please note that the salary and benefit expenses are based on more accurate departmental allocations than we had in August 2012 when the 2013 budget was initially compiled. As a result, some departments are above budget, while others are under but overall, personnel expenses are below budget.

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

ATTACHMENT:

1. December Financial Reports

City of Lake Elmo
2013 Preliminary Results
Projected Year End Surplus
As of January 21, 2014

Revenue			
Levy/Property Tax	370,870.04	\$176.5 Fiscal Disparities not previously budgeted	
State Fire Aid	16,778.39	One time state additional allocation in 2013	
General Revenue	69,795.01	Primarily Building permits and Plan review fees	
Total excess over budget	<u>457,443.44</u>		
Expenses			
General Government	(129,347.07)	Primarily due to expansion in Planning & Development	
Public Safety	35,748.10	Due to savings of the Law Enforcement Contract	
Public Works	(95,311.75)	A result of multiple labor intensive weather events	
Parks & Rec	21,149.82	Due to staffing changeover coverage by summer help	
Contingency	120,679.41	No contingency needs in 2013	
Internal Loan Repmt	(200,000.00)	Not budgeted in 2013; installment 2 of 3	
Total excess over budget	<u>(247,081.49)</u>		
Net 2013 Surplus	<u><u>210,361.95</u></u>		

	MONTH			YTD			
	BUDGET	ACTUAL	Variance (\$)	BUDGET	ACTUAL	Variance (\$)	
	Month	Month	Month	YTD	YTD	YTD	
REVENUE							
Current Ad Valorem Taxes	1,206,794.08	1,427,722.89	220,928.81	2,598,644.89	185,056.73	7.67%	
Delinquent Ad Valorem Taxes	0.00	0.00	0.00	0.00	0.00	0.00%	
Mobile Home Tax	4,000.00	12,255.22	8,255.22	17,314.34	9,314.34	116.43%	
Fiscal Disparities	0.00	61,889.01	61,889.01	176,498.97	176,498.97	0.00%	
Penalty & Interest on Taxes	0.00	1,330.31	1,330.31	2,520.85	2,520.85	0.00%	
Liquor License	0.00	1,700.00	1,700.00	8,850.00	8,725.00	6980.00%	
Wastehauler License	0.00	600.00	600.00	600.00	400.00	200.00%	
General Contractor License	0.00	0.00	0.00	265.00	265.00	0.00%	
Heating Contractor License	300.00	400.00	100.00	5,250.00	775.00	17.32%	
Blacktopping Contractor License	0.00	0.00	0.00	0.00	0.00	0.00%	
Building Permits	17,500.00	18,215.30	715.30	192,543.54	20,543.54	11.94%	
Heating Permits	1,000.00	3,120.00	2,120.00	18,410.00	5,210.00	39.47%	
Plumbing Permits	500.00	1,500.00	1,000.00	14,245.00	6,745.00	89.93%	
Sewer Permits	0.00	0.00	0.00	485.00	485.00	0.00%	
Animal License	100.00	160.00	60.00	2,141.00	81.00	3.93%	
Utility Permits	600.00	785.00	185.00	7,200.00	14,300.00	198.61%	
Burning Permit	50.00	420.00	370.00	1,150.00	2,940.33	1,790.33	155.68%
Massage Therapy Permits	0.00	0.00	0.00	858.00	858.00	0.00%	
Homestead Credit Aid	0.00	0.00	0.00	0.00	0.00	0.00%	
MSA-Maintenance	0.00	0.00	0.00	98,022.00	98,022.00	0.00%	
State Fire Aid	0.00	0.00	0.00	40,000.00	56,778.39	16,778.39	41.95%
PERA Aid	1,374.50	1,374.50	0.00	2,749.00	2,749.00	0.00%	
Gravel Tax	0.00	0.00	0.00	688.63	0.00	(688.63)	-100.00%
Recycling Grant	0.00	0.00	0.00	15,500.00	15,588.00	88.00	0.57%
Misc State Grant/Surcharge Rev	0.00	1,537.34	1,537.34	0.00	4,068.54	4,068.54	0.00%
Cable Franchise Revenue	0.00	0.00	0.00	43,000.00	39,851.98	(3,148.02)	-7.32%
Zoning & Subdivision Fees	0.00	0.00	0.00	1,000.00	1,750.00	750.00	75.00%
Plan Check Fees	7,000.00	10,484.21	3,484.21	71,000.00	100,057.42	29,057.42	40.93%
Sale of Copies, Books, Maps	10.00	2.00	(8.00)	149.10	335.60	186.50	125.08%
Assessment Searches	50.00	90.00	40.00	700.00	1,380.00	680.00	97.14%
Clean Up Days	0.00	0.00	0.00	4,000.00	2,647.00	(1,353.00)	-33.83%
Cable Operation Reimbursement	0.00	0.00	0.00	1,485.00	0.00	(1,485.00)	-100.00%
Fines	5,000.00	7,292.77	2,292.77	60,000.00	47,887.56	(12,112.44)	-20.19%
Miscellaneous Revenue	2,000.00	3,617.17	1,617.17	19,000.00	23,134.92	4,134.92	21.76%
Internal Charges	50.00	26.00	(24.00)	600.00	1,018.00	418.00	69.67%
Interest Earnings	20,000.00	0.00	(20,000.00)	20,000.00	0.00	(20,000.00)	0.00%
Donations	0.00	0.00	0.00	7,500.00	14,000.00	6,500.00	86.67%
Total Revenue	1,266,328.58	1,554,521.72	288,193.14	3,014,891.89	3,472,335.33	457,443.44	15.17%

EXPENSE

1110 - Mayor & Council

PT Salaries	12,845.00	12,845.00	0.00	0.00%	25,690.00	25,690.00	0.00	0.00%
FICA Contributions	796.39	796.39	0.00	0.00%	1,592.78	1,592.78	0.00	0.00%
Medicare Contributions	186.25	186.27	(0.02)	0.00%	372.51	372.54	(0.04)	-0.01%
Workers Compensation	0.00	0.00	0.00	0.00%	36.00	215.80	(179.80)	-499.44%
Mileage	0.00	0.00	0.00	0.00%	1,000.00	53.11	946.89	94.69%
Miscellaneous	0.00	85.59	(85.59)	0.00%	565.27	6,661.41	(6,096.14)	-1078.45%
Dues & Subscriptions	0.00	5,000.00	(5,000.00)	0.00%	8,391.00	17,711.32	(9,320.32)	-111.08%
Conferences & Training	0.00	0.00	0.00	0.00%	2,155.00	1,586.00	569.00	26.40%
Total Mayor & Council	13,827.64	18,913.25	(5,085.61)	-36.78%	39,802.56	53,882.96	(14,080.41)	-35.38%

1320 - Administration

FT Salaries	13,000.00	12,638.53	361.47	2.78%	180,444.93	163,565.87	16,879.06	9.35%
PERA Contributions	942.50	916.28	26.22	2.78%	12,756.57	11,751.83	1,004.74	7.88%
ICMA Contributions	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
FICA Contributions	806.00	740.37	65.63	8.14%	10,992.13	9,584.50	1,407.63	12.81%
Medicare Contributions	188.50	173.13	15.37	8.15%	2,570.80	2,241.56	329.24	12.81%
Health/Dental Insurance	3,127.60	2,611.00	516.60	16.52%	37,531.20	31,332.00	6,199.20	16.52%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	3,082.47	(3,082.47)	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	1,396.00	728.39	667.61	47.82%
Office Supplies	300.00	652.71	(352.71)	-117.57%	5,238.61	6,368.12	(1,129.51)	-21.56%
Printed Forms	0.00	0.00	0.00	0.00%	363.91	0.00	363.91	100.00%
Legal Services	4,000.00	5,641.61	(1,641.61)	-41.04%	48,000.00	59,096.95	(11,096.95)	-23.12%
Newsletter/Website	0.00	0.00	0.00	0.00%	0.00	355.66	(355.66)	0.00%
Assessing Services	2,000.00	18,908.20	(16,908.20)	-845.41%	25,500.00	49,142.34	(23,642.34)	-92.72%
Contract Services	0.00	1,000.00	(1,000.00)	0.00%	0.00	5,000.00	(5,000.00)	0.00%
Information Technology	0.00	188.54	(188.54)	0.00%	0.00	1,051.21	(1,051.21)	0.00%
Telephone	0.00	0.00	0.00	0.00%	0.00	2,696.52	(2,696.52)	0.00%
Postage	300.00	337.07	(37.07)	-24.71%	3,600.00	3,560.46	39.54	1.10%
Mileage	150.00	506.96	(356.96)	0.00%	1,800.00	1,050.55	749.45	41.64%
Legal Publishing	0.00	3,544.75	(3,544.75)	0.00%	157.74	6,201.53	(6,043.79)	-3831.49%
Insurance	0.00	0.00	0.00	0.00%	38,800.00	35,339.30	3,460.70	8.92%
Cable Operation Expense	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Miscellaneous	100.00	159.45	(59.45)	-59.45%	1,200.00	2,782.94	(1,582.94)	-131.91%
Dues & Subscriptions	100.00	0.00	100.00	0.00%	1,200.00	1,265.96	(65.96)	-5.50%
Books	0.00	168.21	(168.21)	0.00%	0.00	632.52	(632.52)	0.00%
Conferences & Training	200.00	0.00	200.00	0.00%	2,175.93	3,283.39	(1,107.46)	-50.90%
Staff Development	0.00	573.66	(573.66)	0.00%	870.00	573.66	296.34	34.06%
Total Administration	25,214.60	48,760.47	(23,545.87)	-93.38%	374,597.82	400,687.73	(26,089.91)	-6.96%

1410 - Elections							
PT Salaries	0.00	0.00	0.00	0.00	100.00	(100.00)	0.00%
Office Supplies	0.00	0.00	0.00	0.00	0.00	150.00	100.00%
Legal Publications/Notification	0.00	0.00	0.00	0.00	0.00	2,150.00	100.00%
Election Equipment	0.00	0.00	0.00	0.00	0.00	7,460.00	100.00%
Equipment Repair	0.00	0.00	0.00	0.00	0.00	450.00	100.00%
County Election Fees	0.00	0.00	0.00	0.00	940.00	0.00	0.00%
Printed Forms	0.00	0.00	0.00	0.00	450.00	450.00	100.00%
Miscellaneous	0.00	339.39	(339.39)	0.00	339.39	10.61	100.00%
Total Elections	0.00	339.39	(339.39)	0.00%	1,379.39	10,570.61	88.46%
1450 - Communications							
FT Salaries	2,916.67	1,452.92	1,463.75	50.19%	18,419.51	16,580.49	47.37%
PERA Contributions	211.46	105.35	106.11	50.18%	1,335.46	1,202.04	47.37%
FICA Contributions	180.83	87.25	93.58	51.75%	1,106.07	1,063.93	49.03%
Medicare Contributions	42.29	20.41	21.88	51.74%	258.64	248.86	49.04%
Health/Dental Insurance	0.00	272.00	(272.00)	0.00%	3,264.00	(3,264.00)	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	85.23	(29.23)	-52.20%
Newsletter	3,000.00	0.00	3,000.00	0.00%	7,785.63	4,275.37	35.45%
Office Supplies	50.00	0.00	50.00	0.00%	976.09	(776.09)	0.00%
Info Technology/Web	2,000.00	2,714.17	(714.17)	-35.71%	31,537.80	(7,537.80)	-31.41%
Telephone	250.00	108.81	141.19	56.48%	1,138.64	1,861.36	62.05%
Public Notices	200.00	1,446.42	(1,246.42)	-623.21%	7,310.04	(4,910.04)	-204.59%
Cable Operations	275.00	(1,200.63)	1,475.63	536.59%	554.21	2,745.79	83.21%
Conferences	0.00	75.00	(75.00)	0.00%	0.00	(573.00)	0.00%
Repair/Maint Equipment	0.00	0.00	0.00	0.00%	155.50	(155.50)	0.00%
Total Communications	9,126.25	5,081.70	4,044.55	44.32%	74,499.82	10,732.18	12.59%
1520 - Finance							
FT Salaries	4,576.40	6,905.98	(2,329.58)	-50.90%	87,850.80	(32,934.00)	-59.97%
PERA Contributions	331.79	500.67	(168.88)	-50.90%	6,369.16	(2,387.69)	-59.97%
FICA Contributions	283.74	402.57	(118.83)	-41.88%	5,156.95	(1,752.11)	-51.46%
Medicare Contributions	66.36	94.14	(27.78)	-41.87%	1,205.93	(409.64)	-51.44%
Health/Dental Insurance	718.02	1,088.00	(369.98)	-51.53%	13,056.00	(4,439.77)	-51.53%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	405.18	(405.18)	0.00%
Office Supplies	100.00	150.85	(50.85)	0.00%	582.91	(182.91)	-45.73%
Printed Forms	0.00	0.00	0.00	0.00%	500.00	500.00	100.00%
Audit Services	12,000.00	0.00	12,000.00	0.00%	20,500.00	0.00	0.00%
Contract Services	0.00	(3,835.97)	3,835.97	0.00%	10,483.06	(483.06)	-4.83%
Software Programs	0.00	0.00	0.00	0.00%	128.54	(128.54)	0.00%
Telephone	0.00	90.12	(90.12)	0.00%	720.96	(720.96)	0.00%
Mileage	0.00	0.00	0.00	0.00%	44.40	(44.40)	0.00%
Miscellaneous	0.00	99.83	(99.83)	0.00%	1,481.76	18.24	1.22%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	185.00	(85.00)	0.00%
Conferences & Training	0.00	200.00	(200.00)	0.00%	425.00	675.00	61.36%
Total Finance	18,076.30	5,696.19	12,380.11	68.49%	148,595.65	(42,780.02)	-40.43%

1910 - Planning & Zoning							
FT Salaries	8,278.95	12,675.90	(4,396.95)	-53.11%	153,377.84	(49,890.97)	-48.21%
PERA Contributions	600.22	919.01	(318.79)	-53.11%	11,298.24	(3,795.44)	-50.59%
FICA Contributions	513.29	741.44	(228.15)	-44.45%	9,155.08	(2,738.89)	-42.69%
Medicare Contributions	81.83	173.40	(91.57)	-111.90%	2,141.34	(717.21)	-50.36%
Health/Dental Insurance	886.48	1,656.00	(769.52)	-86.81%	19,872.00	(9,234.18)	-86.81%
Workers Compensation	0.00	0.00	0.00	0.00%	751.34	(251.34)	-50.27%
Office Supplies	50.00	52.96	(2.96)	-5.92%	2,562.67	(1,962.67)	-327.11%
Printed Forms	0.00	289.30	(289.30)	0.00%	2,577.15	(2,577.15)	0.00%
Engineering Services	1,500.00	5,722.10	(4,222.10)	-281.47%	25,514.94	(7,514.94)	-41.75%
Contract Services	0.00	0.00	0.00	0.00%	0.00	(14,869.24)	0.00%
Information Technology	0.00	0.00	0.00	0.00%	0.00	(2,952.01)	0.00%
Telephone	0.00	147.74	(147.74)	0.00%	1,182.56	(1,182.56)	0.00%
Postage	0.00	41.88	(41.88)	0.00%	95.50	(95.50)	0.00%
Mileage	30.00	0.00	30.00	150.00%	0.00	360.00	100.00%
Miscellaneous	20.00	0.00	20.00	10.00%	971.56	(731.56)	-304.82%
Dues & Subscriptions	200.00	0.00	200.00	#DIV/0!	270.00	330.00	0.00%
Books	0.00	0.00	0.00	0.00%	211.37	(11.37)	0.00%
Conferences & Training	0.00	0.00	0.00	0.00%	1,439.24	660.76	31.46%
Total Planning & Zoning	12,160.78	22,419.73	(10,258.95)	-84.36%	249,242.08	(97,174.27)	-63.90%
1930 - Engineering Services							
Engineering Services	5,000.00	7,695.94	(2,695.94)	-53.92%	37,241.71	22,758.29	37.93%
Total Engineering Services	5,000.00	7,695.94	(2,695.94)	-53.92%	37,241.71	22,758.29	37.93%
1940 - City Hall							
Cleaning Supplies	50.00	0.00	50.00	100.00%	7.48	592.52	98.75%
Building Repair Supplies	75.00	0.00	75.00	100.00%	36.53	863.47	95.94%
Telephone	700.00	127.34	572.66	81.81%	1,947.54	6,652.46	77.35%
Utilities	900.00	2,009.94	(1,109.94)	-123.33%	11,028.98	(228.98)	-2.12%
Refuse	108.32	216.64	(108.32)	-100.00%	1,408.16	(108.32)	-8.33%
Repairs/Maint Contractual Bldg	700.00	245.81	454.19	64.88%	8,979.51	(579.51)	-6.90%
Repairs/Maint Contractual Equip	400.00	1,131.14	(731.14)	-182.79%	6,134.71	(1,334.71)	-27.81%
Miscellaneous	100.00	0.00	100.00	100.00%	140.46	859.54	85.95%
Total City Hall	3,033.32	3,730.87	(697.55)	-23.00%	29,683.37	6,716.47	18.45%
Total General Government	86,438.90	112,637.54	(26,198.64)	-30.31%	995,212.71	(129,347.06)	-14.94%

DEPT 420 - PUBLIC SAFETY

2100 - Police

Law Enforcement Contract	280,000.00	251,242.32	28,757.68	0.00%
Total Police	280,000.00	251,242.32	28,757.68	0.00%

	560,000.00	497,001.08	62,998.92	11.25%
Total	560,000.00	497,001.08	62,998.92	11.25%

2150 - Prosecution

Attorney Criminal	4,250.00	8,848.67	(4,598.67)	-108.20%
Total Prosecution	4,250.00	8,848.67	(4,598.67)	-108.20%

	51,000.00	51,952.67	(952.67)	-1.87%
Total	51,000.00	51,952.67	(952.67)	-1.87%

2220 - Fire

FT Salaries	6,000.00	5,701.48	298.52	4.98%
PT Salaries	11,000.00	10,313.88	686.12	6.24%
PERA Contributions	1,232.50	965.86	266.64	21.63%
FICA Contributions	1,054.00	585.41	468.59	44.46%
Medicare Contributions	246.50	225.52	20.98	8.51%
Health/Dental Insurance	1,276.70	1,686.00	(409.30)	-32.06%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	125.00	0.00	125.00	0.00%
EMS Supplies	150.00	0.00	150.00	0.00%
Fire Prevention	0.00	0.00	0.00	0.00%
Fuel, Oil & Fluids	1,150.00	941.92	208.08	18.09%
Small Tools & Equip	100.00	2,444.76	(2,344.76)	0.00%
Physicals	200.00	0.00	200.00	0.00%
Information Technology	0.00	0.00	0.00	0.00%
Telephone	250.00	369.71	(119.71)	-3.11%
Radio	3,846.08	3,800.76	45.32	#DIV/0!
Mileage	0.00	0.00	0.00	#DIV/0!
Vehicle Insurance	0.00	0.00	0.00	0.00%
Electric Utility	1,000.00	3,185.86	(2,185.86)	-4584.44%
Refuse	47.68	95.36	(47.68)	-12.67%
Repair/Maint Bldg	376.30	4,402.09	(4,025.79)	-223.66%
Repair/Maint Equip	1,800.00	14,632.51	(12,832.51)	-381.81%
Uniforms	3,361.00	0.00	3,361.00	4481.33%
Miscellaneous	75.00	988.01	(913.01)	0.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00%
Books	300.00	0.00	300.00	42.86%
Conferences & Training	700.00	926.15	(226.15)	-6.66%
Total Fire	34,290.76	51,265.28	(16,974.52)	-49.50%

	78,100.80	73,590.60	4,510.20	5.77%
	131,000.00	113,995.50	17,004.50	12.98%
	15,159.81	12,296.69	2,863.12	18.89%
	12,964.25	6,428.98	6,535.27	50.41%
	3,031.96	2,638.50	393.46	12.98%
	15,320.37	14,792.00	528.37	3.45%
	0.00	0.00	0.00	0.00%
	10,130.00	8,042.06	2,087.94	20.61%
	500.00	3,038.10	(2,538.10)	-507.62%
	2,358.00	905.41	1,452.59	61.60%
	3,000.00	3,242.62	(242.62)	-8.09%
	13,632.00	12,978.66	653.34	4.79%
	31,000.00	21,351.02	9,648.98	31.13%
	7,416.60	2,061.95	5,354.65	72.20%
	0.00	656.61	(656.61)	0.00%
	3,000.00	4,124.31	(1,124.31)	-37.48%
	15,784.32	16,155.59	(371.27)	-2.35%
	200.00	99.44	100.56	50.28%
	12,000.00	5,237.00	6,763.00	56.36%
	11,500.00	13,549.72	(2,049.72)	-17.82%
	572.16	827.66	(255.50)	-44.66%
	21,015.60	17,738.92	3,276.68	15.59%
	21,137.00	36,794.30	(15,657.30)	-74.08%
	9,902.50	3,727.12	6,175.38	62.36%
	900.00	2,089.52	(1,189.52)	-132.17%
	2,000.00	3,247.00	(1,247.00)	-62.35%
	600.00	480.94	119.06	19.84%
	22,550.00	13,481.26	9,068.74	40.22%
Total	444,775.37	393,571.48	51,203.89	11.51%

2250 - Fire Relief

Fire State Aid	0.00	0.00	0.00	0.00%
Total Fire Relief	0.00	0.00	0.00	0.00%

	40,000.00	53,778.39	(13,778.39)	-34.45%
Total	40,000.00	53,778.39	(13,778.39)	-34.45%

2400 - Building Inspection

FT Salaries	5,747.36	6,689.08	(941.72)	-16.39%	74,715.68	86,459.04	(11,743.36)	-15.72%
PERA Contributions	416.68	484.97	(68.29)	-16.39%	4,859.60	6,268.40	(1,408.80)	-28.99%
FICA Contributions	356.34	389.42	(33.08)	-9.28%	4,112.23	5,033.86	(921.63)	-22.41%
Medicare Contributions	83.34	91.06	(7.72)	-9.27%	961.75	1,177.19	(215.44)	-22.40%
Health/Dental Insurance	767.49	1,414.00	(646.51)	-84.24%	9,209.89	16,968.00	(7,758.11)	-84.24%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	2,000.00	397.88	1,602.12	80.11%
Office Supplies	0.00	200.28	(200.28)	0.00%	0.00	1,080.30	(1,080.30)	0.00%
Printed Forms	0.00	0.00	0.00	0.00%	0.00	146.61	(146.61)	0.00%
Fuel, Oil & Fluids	0.00	0.00	0.00	0.00%	0.00	267.67	(267.67)	0.00%
Engineering	500.00	2,420.00	(1,920.00)	-384.00%	6,000.00	14,064.73	(8,064.73)	-134.41%
Surcharge Pmts	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Inspector Contract Services	0.00	1,500.00	(1,500.00)	0.00%	0.00	7,069.50	(7,069.50)	0.00%
Info Technology (Permit Works)	0.00	0.00	0.00	0.00%	0.00	17,146.69	(17,146.69)	0.00%
Software Programs	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Telephone	18.00	89.71	(71.71)	-398.39%	216.00	922.05	(706.05)	-326.88%
Mileage	0.00	370.65	(370.65)	0.00%	100.00	1,425.74	(1,325.74)	0.00%
Insurance	0.00	0.00	0.00	0.00%	255.00	340.00	(85.00)	0.00%
Repairs/Maint Equip	0.00	36.40	(36.40)	0.00%	500.00	499.68	0.32	0.06%
Uniforms	0.00	134.97	(134.97)	0.00%	0.00	221.35	(221.35)	0.00%
Miscellaneous	0.00	6.95	(6.95)	0.00%	500.00	1,504.44	(1,004.44)	-200.89%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	190.00	90.00	100.00	52.63%
Books	0.00	0.00	0.00	0.00%	100.00	120.64	(20.64)	-20.64%
Conferences & Training	250.00	857.00	(607.00)	-242.80%	500.00	1,682.00	(1,182.00)	-236.40%
Total Building Inspections	8,139.21	14,684.49	(6,545.28)	-80.42%	104,220.14	162,885.77	(58,665.63)	-56.29%

2500 - Emergency Communications

Contract Services	0.00	0.00	0.00	0.00%	6,000.00	3,799.50	2,200.50	36.68%
Total Emergency Communications	0.00	0.00	0.00	0.00%	6,000.00	3,799.50	2,200.50	36.68%

2700 - Animal Control

Printed Forms	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Contract Services	550.00	1,000.00	(450.00)	-81.82%	7,000.00	11,609.93	(4,609.93)	-65.86%
Miscellaneous	0.00	180.00	(180.00)	0.00%	0.00	2,648.59	(2,648.59)	0.00%
Total Animal Control	550.00	1,180.00	(630.00)	-114.55%	7,000.00	14,258.52	(7,258.52)	-103.69%

Total Public Safety

	1,212,995.51	1,177,247.41	35,748.10	2.95%
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DEPT 430 - PUBLIC WORKS

3100 - Public Works

FT Salaries	10,700.00	12,983.76	(2,283.76)	-21.34%	128,700.00	156,071.65	(27,371.65)	-21.27%
PT Salaries	0.00	1,056.70	(1,056.70)	0.00%	0.00	13,123.03	(13,123.03)	0.00%
PERA Contributions	775.75	1,011.51	(235.76)	-30.39%	9,330.75	12,227.47	(2,896.72)	-31.04%
FICA Contributions	663.40	826.86	(163.46)	-24.64%	7,979.40	9,883.94	(1,904.54)	-23.87%
Medicare Contributions	155.15	193.36	(38.21)	-24.63%	1,866.15	2,311.60	(445.45)	-23.87%
Health/Dental Insurance	2,893.14	2,899.00	(5.86)	-0.20%	34,717.70	34,788.00	(70.30)	-0.20%
Unemployment Benefits	0.00	0.00	0.00	0.00%	4,000.00	0.00	4,000.00	100.00%
Workers Compensation	0.00	0.00	0.00	0.00%	12,000.00	7,399.76	4,600.24	38.34%
Office Supplies	25.00	7.48	17.52	70.08%	500.00	1,055.11	(555.11)	-111.02%
Shop Materials	150.00	47.05	102.95	68.63%	1,800.00	826.55	973.45	54.08%
Building Repair Supplies	0.00	0.00	0.00	0.00%	0.00	229.25	(229.25)	0.00%
Small Tools and Minor Equip	250.00	0.00	250.00	100.00%	3,000.00	1,768.66	1,231.34	41.04%
Engineering Services	150.00	1,568.25	(1,418.25)	-945.50%	1,800.00	7,957.00	(6,157.00)	-342.06%
Contract Services	400.00	185.70	214.30	53.58%	4,800.00	5,181.10	(381.10)	-7.94%
Information Technology	0.00	0.00	0.00	#DIV/0!	0.00	1,051.33	(1,051.33)	0.00%
Telephone	650.00	822.50	(172.50)	-26.54%	8,000.00	7,157.04	842.96	10.54%
Radio	300.00	300.06	(0.06)	-0.02%	3,600.00	1,209.24	2,390.76	66.41%
Mileage	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%	22,000.00	19,772.00	2,228.00	0.00%
Electric Utility	2,000.00	2,441.75	(441.75)	-22.09%	24,000.00	18,017.36	5,982.64	24.93%
Refuse	207.82	415.64	(207.82)	-100.00%	2,493.84	2,493.84	0.00	0.00%
Fuel, Oil, Fluids (ALL depts)	3,000.00	1,875.22	1,124.78	37.49%	36,000.00	39,719.58	(3,719.58)	-10.33%
Repair/Maint Bldg	250.00	393.35	(143.35)	-57.34%	3,000.00	6,330.93	(3,330.93)	-111.03%
Repair/Maint NOT Bldg	40.00	0.00	40.00	100.00%	500.00	153.38	346.62	69.32%
Repair/Maint Equip (out)	500.00	0.00	500.00	100.00%	6,000.00	140.73	5,859.27	97.65%
Equipment Parts	500.00	0.00	500.00	100.00%	6,000.00	0.00	6,000.00	100.00%
Uniforms	175.00	2.00	173.00	98.86%	2,100.00	900.66	1,199.34	57.11%
Miscellaneous	100.00	0.00	100.00	100.00%	1,000.00	1,071.02	(71.02)	-7.10%
Landscaping Material	80.00	0.00	80.00	100.00%	1,000.00	64.13	935.87	93.59%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	60.00	56.00	4.00	6.67%
Conferences & Training	0.00	0.00	0.00	0.00%	1,619.60	260.00	1,359.60	83.95%
Clean up Days	0.00	0.00	0.00	0.00%	6,000.00	4,481.33	1,518.67	25.31%
Total Public Works	23,965.26	27,030.19	(3,064.93)	-12.79%	333,867.44	355,701.69	(21,834.25)	-6.54%

3120 - Streets

Equipment Parts	0.00	494.00	(494.00)	0.00%	0.00	4,702.93	(4,702.93)	0.00%
Street Maintenance Materials	1,000.00	1,574.75	(574.75)	-57.48%	12,000.00	23,787.16	(11,787.16)	-98.23%
Sign Repair Materials	250.00	0.00	250.00	100.00%	3,000.00	1,479.16	1,520.84	50.69%
Contract Services	850.00	1,150.00	(300.00)	-35.29%	10,200.00	11,728.05	(1,528.05)	-14.98%
Repairs/Maint Equipment	0.00	1,309.65	(1,309.65)	0.00%	0.00	3,295.86	(3,295.86)	0.00%
Total Streets	2,100.00	4,528.40	(2,428.40)	-115.64%	25,200.00	44,993.16	(19,793.16)	-78.54%

3125 - Ice & Snow Removal									
Landscaping Material	0.00	0.00	0.00	0.00%	0.00	103.38	(103.38)	0.00%	
Sand/Salt	0.00	34,395.95	(34,395.95)	0.00%	69,500.00	105,484.30	(35,984.30)	-51.78%	
Contract Services	1,250.00	5,692.50	(4,442.50)	0.00%	7,500.00	10,000.25	(2,500.25)	-33.34%	
Repairs/Maint Equipment	250.00	12,613.42	(12,363.42)	-4945.37%	3,000.00	17,966.35	(14,966.35)	-498.88%	
Total Ice & Snow Removal	1,500.00	52,701.87	(51,201.87)	-3413.46%	80,000.00	133,554.28	(53,554.28)	-66.94%	
3160 - Street Lighting									
Street Lighting	2,100.00	3,525.62	(1,425.62)	-67.89%	25,200.00	26,720.81	(1,520.81)	-6.03%	
Total Street Lighting	2,100.00	3,525.62	(1,425.62)	-67.89%	25,200.00	26,720.81	(1,520.81)	-6.03%	
3200 - Recycling									
Recycling Supplies	0.00	0.00	0.00	0.00%	3,500.00	3,584.25	(84.25)	-2.41%	
Newsletter	1,000.00	0.00	1,000.00	0.00%	3,000.00	0.00	3,000.00	100.00%	
Miscellaneous	400.00	0.00	400.00	100.00%	4,800.00	0.00	4,800.00	100.00%	
Total Recycling	1,400.00	0.00	1,400.00	100.00%	11,300.00	3,584.25	7,715.75	68.28%	
3250 - Tree Program									
Contract Services	400.00	0.00	400.00	100.00%	5,000.00	11,325.00	(6,325.00)	-126.50%	
Total Tree Program	400.00	0.00	400.00	100.00%	5,000.00	11,325.00	(6,325.00)	-126.50%	
Total Public Works	31,465.26	87,786.08	(56,320.82)	-178.99%	480,567.44	575,879.19	(95,311.75)	-19.83%	

DEPT 450 - CULTURE, RECREATION

5200 - Parks & Recreation

FT Salaries	8,583.96	8,830.99	(247.03)	-2.88%	111,591.08	91,491.40	20,099.68	18.01%
PT Salaries	700.00	502.93	197.07	28.15%	14,150.00	18,476.82	(4,326.82)	-30.58%
PERA Contributions	622.34	640.24	(17.90)	-2.88%	8,090.35	7,201.13	889.22	10.99%
FICA Contributions	575.61	556.97	18.64	3.24%	7,795.95	6,573.91	1,222.04	15.68%
Medicare Contributions	134.62	130.33	4.29	3.18%	1,823.25	1,537.46	285.79	15.67%
Health/Dental Insurance	1,084.57	290.16	794.41	73.25%	13,014.88	4,727.12	8,287.76	63.68%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	3,000.00	4,105.81	(1,105.81)	-36.86%
Shop Materials	0.00	161.61	(161.61)	0.00%	0.00	835.41	(835.41)	0.00%
Chemicals	50.00	0.00	50.00	100.00%	600.00	740.98	(140.98)	-23.50%
Equipment Parts	150.00	0.00	150.00	100.00%	1,800.00	2,223.42	(423.42)	-23.52%
Building Repair Supplies	0.00	0.00	0.00	0.00%	0.00	10.63	(10.63)	0.00%
Landscaping Materials	200.00	0.00	200.00	100.00%	2,400.00	2,780.50	(380.50)	-15.85%
Small Tools and Minor Equip	75.00	0.00	75.00	100.00%	900.00	2,276.93	(1,376.93)	-152.99%
Telephone	100.00	91.01	8.99	8.99%	1,200.00	1,061.47	138.53	11.54%
Mileage	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%	5,000.00	3,683.00	1,317.00	26.34%
Electric Utility	750.00	1,067.80	(317.80)	-42.37%	9,000.00	8,356.46	643.54	7.15%
Refuse	207.82	415.64	(207.82)	-100.00%	2,493.84	2,701.66	(207.82)	-8.33%
Repair/Maint Bldg	25.00	12.66	12.34	49.36%	300.00	395.86	(95.86)	-31.95%
Repair/Maint NOT Bldg	50.00	(1,035.91)	1,085.91	2171.82%	600.00	2,943.79	(2,343.79)	-390.63%
Repair/Maint Equip	100.00	0.00	100.00	100.00%	1,200.00	0.00	1,200.00	100.00%
Rental Buildings	400.00	0.00	400.00	100.00%	4,800.00	5,292.62	(492.62)	-10.26%
Miscellaneous	0.00	196.21	(196.21)	0.00%	0.00	1,193.15	(1,193.15)	0.00%
Total Parks & Recreation	13,808.91	11,860.64	1,948.27	14.11%	189,759.35	168,609.53	21,149.82	11.15%

DEPT 460 - COMP ADJ

	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
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DEPT 490 - CONTINGENCY FUND

	60,339.70	0.00	60,339.70	0.00%	120,679.41	0.00	120,679.41	100.00%
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DEPT 493 - OTH FINANCING

	0.00	200,000.00	(200,000.00)	0.00%	0.00	200,000.00	(200,000.00)	0.00%
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GRAND TOTAL ALL DEPTS

	458,943.04	739,505.02	(280,561.98)	-61.13%	2,869,867.36	3,116,948.84	(247,081.48)	-8.61%
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Net Income over Expenses

	807,385.54	815,016.70	7,631.16	0.95%	145,024.54	355,386.49	210,361.95	145.05%
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MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
CONSENT
ITEM #: 5

AGENDA ITEM: New Single Family Home Permit Report

SUBMITTED BY: Rick Chase, Building Official

THROUGH: Rick Chase, Building Official

REVIEWED BY: Kyle Klatt, Planning Director

SUGGESTED ORDER OF BUSINESS:

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

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the monthly new single family home permit report through December of 2013. No specific motion is needed as this is recommended as part of the *Consent Agenda*.

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Included in the monthly report is an annual summary for new homes as well as the total valuation for all construction activity in 2013. The figures below compare the current year activity to the two previous year's activity.

	<u>2013</u>	<u>2012</u>	<u>2011</u>
New homes	36	34	23
Total valuation	\$16,966,169	\$15,156,112	\$10,214,000
Average home value	\$471,282	\$445,768	\$439,752
 Total Valuation (New homes included)	 \$20,944,966	 \$22,671,178	 \$18,723,663

Please note that in 2013, the roof and siding permits were converted to a flat rate fee structure and as such are no longer included in the valuation numbers. Also note that these numbers represent the incremental valuation which will increase the Cities Taxable property tax base beginning with the 2015 tax roll.

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council accept the monthly new single family home permit report.



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
CONSENT
ITEM #: 6

AGENDA ITEM: Section 34 Water and Sewer Utility Extension Improvements – Pay Request No. 3

SUBMITTED BY: Ryan Stempki, Project Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

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

- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate.....Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Engineering

FISCAL IMPACT:

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Pay Request No. 3 for the Section 34 Water and Sewer Utility Extension Improvements. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Pay Request No. 3 to Redstone Construction Company, Inc. in the amount of \$315,528.49, for the Section 34 Water and Sewer Utility Extension Improvements.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Redstone Construction Company, Inc. (the Contractor for the project) has submitted Partial Pay Estimate No. 3 in the amount of \$315,528.49. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$71,443.89.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 3 for the Section 34 Water and Sewer Utility Extension Improvements. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Pay Request No. 3 to Redstone Construction Company, Inc. in the amount of \$315,528.49, for the Section 34 Water and Sewer Utility Extension Improvements.”

ATTACHMENT(S):

1. Partial Pay Estimate No. 3

PROJECT PAY FORM

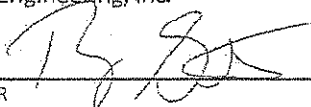
PARTIAL PAY ESTIMATE NO. <u>3</u>	FOCUS ENGINEERING, inc.
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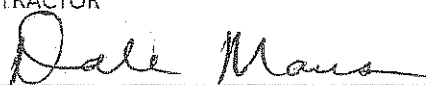
SECTION 34 WATER & SEWER UTILITY EXTENSION IMPROVEMENTS PROJECT NO. 2013.126	PERIOD OF ESTIMATE FROM <u>12/2/2013</u> TO <u>1/1/2014</u>
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PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER	CONTRACTOR: REDSTONE CONSTRUCTION COMPANY INC. PO BOX 218 MORA, MN 55051 ATTN: DALE MANS, PROJECT MANAGER
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	11/6/2013	\$11,162.82	\$0.00	1. Original Contract Amount	\$1,701,884.50
2	1/6/2014	\$0.00	\$0.00	2. Net Change Order Sum	\$11,162.82
				3. Revised Contract (1+2)	\$1,713,047.32
				4. *Work Completed	\$1,428,877.81
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$1,428,877.81
				7. Retainage* <u>5.0%</u>	\$71,443.89
				8. Previous Payments	\$1,041,905.43
				9. Amount Due (6-7-8)	\$315,528.49
TOTALS		\$11,162.82	\$0.00		
NET CHANGE		\$11,162.82		*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE:	<u>10/7/2013</u>	ORIGINAL DAYS	<u>235</u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u>5/19/2014</u>	REVISED DAYS		YES	<input checked="" type="checkbox"/>
FINAL COMPLETION:	<u>5/30/2014</u>	REMAINING	<u>149</u>	NO	<input type="checkbox"/>

ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.	FOCUS Engineering, inc.  _____ ENGINEER <u>1-8-2014</u> _____ DATE
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CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents; that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.	CONTRACTOR  BY <u>1-8-2014</u> DATE
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APPROVED BY OWNER: <u>CITY OF LAKE ELMO, MINNESOTA</u>	
BY _____	BY _____
DATE _____	DATE _____

SECTION 34 WATER & SEWER UTILITY EXTENSION IMPROVEMENTS
 CITY OF LAKE ELMO, MINNESOTA
 PROJECT NO. 2013.126

FOCUS ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 1 - GENERAL									
1	MOBILIZATION	LS	1.00	\$48,000.00	\$48,000.00	0.00	\$0.00	0.90	\$43,200.00
2	TRAFFIC CONTROL	LS	1	\$6,300.00	\$6,300.00	1.00	\$6,300.00	1	\$6,300.00
3	CLEAR AND GRUB TREES	LS	1	\$19,000.00	\$19,000.00	0.00	\$0.00	1	\$19,000.00
4	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	2	\$1,100.00	\$2,200.00	0.00	\$0.00	0	\$0.00
5	STREET SWEEPING	HR	40	\$175.00	\$7,000.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 1					\$82,500.00		\$6,300.00		\$68,500.00
DIVISION 2 - SANITARY SEWER (GRAVITY SEWER - HUDSON BLVD.)									
6	CONCRETE JERSEY BARRIERS	LF	900	\$21.00	\$18,900.00	0.00	\$0.00	900	\$18,900.00
7	REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY	SY	500	\$2.20	\$1,100.00	0.00	\$0.00	0	\$0.00
8	REMOVE PIPE CULVERT	LF	245	\$5.50	\$1,347.50	79.00	\$434.50	79	\$434.50
9	REMOVE SANITARY SEWER PIPE	LF	13	\$6.55	\$85.15	13.00	\$85.15	13	\$85.15
10	SALVAGE AND REINSTALL 12" RCP, INCL APRONS	LF	50	\$22.10	\$1,105.00	50.00	\$1,105.00	50	\$1,105.00
11	PATCH BITUMINOUS DRIVEWAY	SY	500	\$35.00	\$17,500.00	0.00	\$0.00	0	\$0.00
12	PATCH GRAVEL DRIVEWAY	TN	100	\$15.00	\$1,500.00	0.00	\$0.00	209	\$3,135.00
13	29" X 42" ARCH CMP CULVERT	LF	69	\$51.90	\$3,581.10	64.00	\$3,321.60	64	\$3,321.60
14	30" CMP CULVERT	LF	71	\$44.20	\$3,138.20	15.00	\$663.00	15	\$663.00
15	36" CMP CULVERT	LF	35	\$51.90	\$1,816.50	0.00	\$0.00	0	\$0.00
16	42" CMP CULVERT	LF	64	\$76.20	\$4,876.80	0.00	\$0.00	0	\$0.00
17	29" X 42" ARCH CMP CULVERT	EA	2	\$996.00	\$996.00	2.00	\$996.00	2	\$996.00
18	30" CMP APRON	EA	3	\$389.00	\$1,167.00	1.00	\$389.00	1	\$389.00
19	36" CMP APRON	EA	2	\$573.00	\$1,146.00	0.00	\$0.00	0	\$0.00
20	42" CMP APRON	EA	2	\$1,110.00	\$2,220.00	0.00	\$0.00	0	\$0.00
21	CONNECT TO EXISTING SANITARY SEWER MH	EA	1	\$993.00	\$993.00	0.00	\$0.00	1	\$993.00
22	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	25	\$38.90	\$972.50	0.00	\$0.00	28	\$1,089.20
23	10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	20	\$154.00	\$3,080.00	0.00	\$0.00	20	\$3,080.00
24	12" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	885	\$36.20	\$32,037.00	0.00	\$0.00	860	\$31,132.00
25	12" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP	LF	675	\$40.00	\$27,000.00	0.00	\$0.00	700	\$28,000.00
26	12" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	290	\$71.40	\$20,706.00	93.00	\$6,640.20	287	\$20,491.80
27	12" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	65	\$83.60	\$5,434.00	0.00	\$0.00	63	\$5,266.80
28	12" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	200	\$91.20	\$18,240.00	0.00	\$0.00	200	\$18,240.00
29	12" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	560	\$103.00	\$57,680.00	0.00	\$0.00	516	\$53,148.00
30	JACK 12" PVC SANITARY SEWER	LF	40	\$410.00	\$16,400.00	0.00	\$0.00	40	\$16,400.00
31	ROCK FOUNDATION BORROW	LF	1,300	\$0.01	\$13.00	0.00	\$0.00	0	\$0.00
32	INSULATION, 2" THICK	SY	150	\$19.90	\$2,985.00	85.30	\$1,697.47	188.3	\$3,747.17
33	PLACE FILL OVER SANITARY SEWER PIPE (LV)	CY	150	\$7.75	\$1,162.50	100.00	\$775.00	100	\$775.00
34	CROSS HIGH PRESSURE GAS PIPE LINE	LS	1	\$2,760.00	\$2,760.00	1.00	\$2,760.00	1	\$2,760.00
35	SANITARY SEWER MH, 4' DIAMETER	EA	8	\$2,530.00	\$20,240.00	0.00	\$0.00	8	\$20,240.00
36	EXCESS MANHOLE DEPTH, 4' DIAMETER	LF	56	\$97.20	\$5,443.20	2.09	\$203.15	45.98	\$4,469.26
37	TELEWISE SANITARY SEWER	LF	2,672	\$1.75	\$4,676.00	0.00	\$0.00	0	\$0.00
38	OFF ROAD STRUCTURE MARKER	EA	7	\$55.20	\$386.40	7.00	\$386.40	7	\$386.40
39	SEED MIX 250 & BLANKET	SY	5,000	\$1.10	\$5,500.00	0.00	\$0.00	0	\$0.00
40	SEED MIX 270 & BLANKET	SY	5,200	\$1.14	\$5,928.00	0.00	\$0.00	0	\$0.00
41	SEED MIX 250 & HYDROMULCH	SY	5,000	\$0.42	\$2,100.00	17,000.00	\$7,140.00	17,000	\$7,140.00
42	SEED MIX 270 & HYDROMULCH	SY	5,200	\$0.46	\$2,392.00	0.00	\$0.00	0	\$0.00
43	EROSION STABILIZATION MAT	SY	150	\$9.90	\$1,485.00	0.00	\$0.00	0	\$0.00
44	TEMPORARY SEED MIX 100 AND MULCH	AC	4	\$686.00	\$2,744.00	0.00	\$0.00	0	\$0.00
45	DITCH CHECK	EA	8	\$97.50	\$780.00	0.00	\$0.00	0	\$0.00
46	CULVERT INLET PROTECTION	EA	8	\$200.00	\$1,600.00	0.00	\$0.00	0	\$0.00
47	SILT FENCE	LF	1,500	\$1.71	\$2,565.00	676.00	\$1,155.96	1,352	\$2,311.92
SUBTOTAL - DIVISION 2					\$305,781.85		\$27,752.43		\$248,699.80

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 3 - SANITARY SEWER (LIFT STATION SYSTEM)									
48	REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY	SY	570	\$2.75	\$1,567.50	0.00	\$0.00	345	\$948.75
49	REMOVE AND DISPOSE OF EXISTING CONCRETE DRIVEWAY	SY	40	\$8.75	\$350.00	0.00	\$0.00	0	\$0.00
50	REMOVE AND DISPOSE OF CONCRETE CURB AND GUTTER	LF	30	\$4.35	\$130.50	30.00	\$130.50	30	\$130.50
51	REMOVE PIPE CULVERT	LF	165	\$5.50	\$907.50	178.00	\$979.00	178	\$979.00
52	SALVAGE AND REINSTALL 18" RCP, INCL APRONS	LF	60	\$24.30	\$1,458.00	24.00	\$583.20	24	\$583.20
53	PATCH BITUMINOUS DRIVEWAY	SY	200	\$35.00	\$7,000.00	0.00	\$0.00	0	\$0.00
54	PATCH GRAVEL DRIVEWAY	TN	250	\$15.00	\$3,750.00	0.00	\$0.00	94	\$1,410.00
55	6618 CONCRETE CURB AND GUTTER	LF	30	\$30.00	\$900.00	0.00	\$0.00	0	\$0.00
56	12" CMP CULVERT	LF	30	\$20.50	\$615.00	40.00	\$820.00	40	\$820.00
57	18" CMP CULVERT	LF	52	\$26.80	\$1,393.60	92.00	\$2,465.60	92	\$2,465.60
58	21" CMP CULVERT	LF	40	\$31.00	\$1,240.00	41.00	\$1,271.00	41	\$1,271.00
59	12" CMP APRON	EA	1	\$131.00	\$131.00	1.00	\$131.00	1	\$131.00
60	18" CMP APRON	EA	2	\$157.00	\$314.00	3.00	\$471.00	3	\$471.00
61	21" CMP APRON	EA	2	\$187.00	\$374.00	2.00	\$374.00	2	\$374.00
62	8" DIP SANITARY SEWER, CLASS 52, 10' - 15' DEEP	LF	40	\$44.30	\$1,772.00	0.00	\$0.00	40	\$1,772.00
63	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	700	\$28.70	\$17,990.00	640.00	\$16,448.00	699	\$17,964.30
64	8" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP	LF	1,275	\$28.00	\$35,700.00	357.00	\$9,996.00	957	\$26,796.00
65	8" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	425	\$59.00	\$25,075.00	0.00	\$0.00	744	\$43,896.00
66	8" PVC SANITARY SEWER, SDR 35, 20' - 25' DEEP	LF	10	\$74.30	\$743.00	0.00	\$0.00	0	\$0.00
67	8" PVC SANITARY SEWER, SDR 26, 0' - 10' DEEP	LF	50	\$28.10	\$1,405.00	0.00	\$0.00	0	\$0.00
68	8" PVC SANITARY SEWER, SDR 26, 10' - 15' DEEP	LF	806	\$34.50	\$27,807.00	0.00	\$0.00	747	\$25,771.50
69	8" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	435	\$69.90	\$30,406.50	0.00	\$0.00	381	\$26,631.90
70	8" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	715	\$82.90	\$59,273.50	0.00	\$0.00	896	\$74,278.40
71	8" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	85	\$94.20	\$8,007.00	0.00	\$0.00	70	\$6,594.00
72	10" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	70	\$80.10	\$5,607.00	0.00	\$0.00	0	\$0.00
73	10" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	32	\$51.50	\$1,648.00	0.00	\$0.00	102	\$5,253.00
74	10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	0	\$109.00	\$0.00	0.00	\$0.00	0	\$0.00
75	10" PVC SANITARY SEWER, SDR 26, 30' - 35' DEEP	LF	0	\$137.00	\$0.00	0.00	\$0.00	0	\$0.00
76	ROCK FOUNDATION BORROW	LF	5,000	\$0.01	\$50.00	0.00	\$0.00	0	\$0.00
77	8" DIP SANITARY SEWER OUTSIDE DROP	LF	27	\$162.00	\$4,374.00	0.10	\$16.20	12.1	\$1,960.20
78	8" DIP SANITARY SEWER BLIND OUTSIDE DROP	LF	29	\$151.00	\$4,379.00	0.00	\$0.00	29.3	\$4,424.30
79	SANITARY SEWER MH, 4' DIAMETER	EA	27	\$2,460.00	\$66,420.00	7.00	\$17,220.00	27	\$66,420.00
80	EXCESS MANHOLE DEPTH, 4' DIAMETER	LF	168	\$97.20	\$16,368.48	42.50	\$4,131.00	187.52	\$18,226.94
81	TELEWISE SANITARY SEWER	LF	4,733	\$1.75	\$8,282.75	0.00	\$0.00	0	\$0.00
82	OFF ROAD STRUCTURE MARKER	EA	29	\$55.20	\$1,600.80	27.00	\$1,490.40	27	\$1,490.40
83	8" PVC FORCE MAIN	LF	5,960	\$24.90	\$148,404.00	0.00	\$0.00	5,940	\$147,906.00
84	AIR RELEASE MH	EA	2	\$5,410.00	\$10,820.00	0.00	\$0.00	2	\$10,820.00
85	DIP FITTINGS	LB	186	\$5.95	\$1,106.70	186.00	\$1,106.70	186	\$1,106.70
86	LIFT STATION	LS	1	\$220,000.00	\$220,000.00	0.17	\$37,400.00	0.57	\$125,400.00
87	BITUMINOUS DRIVEWAY (LIFT STATION)	SY	317	\$33.00	\$10,461.00	0.00	\$0.00	0	\$0.00
88	SEED MIX 250 & BLANKET	SY	24,600	\$1.10	\$27,060.00	2,500.00	\$2,750.00	2,500	\$2,750.00
89	SEED MIX 250 & HYDROMULCH	SY	24,000	\$0.42	\$10,080.00	23,794.00	\$9,993.48	23,794	\$9,993.48
90	EROSION STABILIZATION MAT	SY	50	\$9.90	\$495.00	0.00	\$0.00	0	\$0.00
91	SEED MIX 250, MULCH, & DISC ANCHOR	AC	5	\$929.00	\$4,645.00	4.50	\$4,180.50	4.5	\$4,180.50
92	TEMPORARY SEED MIX 100 AND MULCH	AC	15	\$686.00	\$10,290.00	0.00	\$0.00	0	\$0.00
93	WETLAND RESTORATION WITH BWSR MIX 34-181	SY	80	\$9.91	\$792.80	0.00	\$0.00	0	\$0.00
94	DITCH CHECK	EA	17	\$97.50	\$1,657.50	0.00	\$0.00	0	\$0.00
95	CULVERT INLET PROTECTION	EA	9	\$200.00	\$1,800.00	4.00	\$800.00	4	\$800.00
96	SILT FENCE	LF	5,310	\$1.71	\$9,080.10	1,315.00	\$2,248.65	2,630	\$4,497.30
SUBTOTAL - DIVISION 3					\$795,732.23	\$115,005.23	\$638,516.97		
DIVISION 4 - SANITARY SEWER (SERVICE TO CM PROPERTIES)									
97	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	45	\$33.20	\$1,494.00	45.00	\$1,494.00	45	\$1,494.00
98	JACK 8" PVC SANITARY SEWER	LF	60	\$405.00	\$24,300.00	60.00	\$24,300.00	60	\$24,300.00
99	SEED MIX 250 & BLANKET	SY	300	\$1.10	\$330.00	0.00	\$0.00	0	\$0.00
100	SILT FENCE	LF	50	\$1.71	\$85.50	25.00	\$42.75	50	\$85.50
SUBTOTAL - DIVISION 4					\$26,209.50	\$25,836.75	\$25,879.50		
DIVISION 5 - SANITARY SEWER (LENNAR AREA SERVICES)									
101	8" X 4" PVC WYE, SDR 26	EA	11	\$127.00	\$1,397.00	0.00	\$0.00	11	\$1,397.00
102	4" PVC SANITARY SEWER SERVICE RISER	LF	130	\$7.75	\$1,007.50	0.00	\$0.00	148	\$1,147.00
SUBTOTAL - DIVISION 5					\$2,404.50	\$0.00	\$2,544.00		
DIVISION 6 - WATERMAIN									
103	CONNECT TO EXISTING 12" WATER MAIN	EA	1	\$404.00	\$404.00	1.00	\$404.00	1	\$404.00
104	6" DIP, CL. 52 WATER MAIN	LF	215	\$28.50	\$6,127.50	93.00	\$2,650.50	155	\$4,417.50
105	8" DIP, CL. 52 WATER MAIN	LF	40	\$35.90	\$1,436.00	15.00	\$538.50	44	\$1,579.60
106	12" DIP, CL. 52 WATER MAIN	LF	7,305	\$48.90	\$357,214.50	1,945.00	\$95,110.50	6,541	\$319,854.90
107	CROSS HIGH PRESSURE GAS PIPE LINE	LS	1	\$882.00	\$882.00	1.00	\$882.00	1	\$882.00
108	6" GATE VALVE AND BOX	EA	14	\$1,220.00	\$17,080.00	3.00	\$3,660.00	10	\$12,200.00
109	8" GATE VALVE AND BOX	EA	4	\$1,830.00	\$7,320.00	1.00	\$1,830.00	4	\$7,320.00
110	12" GATE VALVE AND BOX	EA	12	\$5,070.00	\$60,840.00	6.00	\$18,420.00	12	\$36,840.00
111	VALVE BOX EXTENSION	LF	15	\$55.40	\$831.00	2.00	\$110.80	2	\$110.80
112	VALVE NUT EXTENSION	LF	15	\$37.70	\$565.50	0.00	\$0.00	0	\$0.00
113	HYDRANT	EA	11	\$4,090.00	\$44,990.00	3.00	\$12,270.00	10	\$40,900.00

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
114	HYDRANT EXTENSION	LF	6	\$666.00	\$3,996.00	2.00	\$1,332.00	2	\$1,332.00
115	OFF ROAD STRUCTURE MARKER	EA	17	\$55.20	\$938.40	12.00	\$662.40	12	\$662.40
116	DUCTILE IRON FITTINGS	LB	3,000	\$4.95	\$14,850.00	2,336.00	\$11,568.20	2,500	\$12,375.00
SUBTOTAL - DIVISION 6					\$493,474.90		\$149,433.90		\$438,878.20

TOTALS - BASE CONTRACT \$1,704,102.98 \$324,329.31 \$1,423,018.47

CHANGE ORDER NO. 1

CO1-1	CLEAR & GRUB TREES (LIFT STATION SITE ON CITY PROPERTY)	LS	1.0	\$3,500.00	\$3,500.00	0.00	\$0.00	0.71	\$2,485.00
CO1-2	EXTRA 8' OF DEPTH AT VALVE MH	LS	1.0	\$1,631.94	\$1,631.94	1.00	\$1,631.94	1.0	\$1,631.94
CO1-3	EXTRA DEPTH OF FORCEMAIN	LF	300.0	\$20.58	\$6,174.00	300.00	\$6,174.00	300.0	\$6,174.00
CO1-4	LIFT STATION GRAVEL DRIVEWAY	TN	138.0	\$15.00	\$2,070.00	0.00	\$0.00	0.0	\$0.00
CO1-5	DEDUCT FOR GRAVITY SANITARY SEWER TRACER WIRE	LF	7,386.0	-\$0.60	-\$4,431.60	0.00	\$0.00	7,386.0	-\$4,431.60

TOTALS - CHANGE ORDER NO. 1 \$8,944.34 \$7,805.94 \$5,859.34

TOTALS - REVISED CONTRACT \$1,713,047.32 \$332,135.25 \$1,428,877.81



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
CONSENT
ITEM # 7

AGENDA ITEM: Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street
– Pay Request No. 4

SUBMITTED BY: Ryan Stempski, Project Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

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

- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate.....Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Engineering

FISCAL IMPACT:

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Pay Request No. 4 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Pay Request No. 4 to Minger Construction, Inc. in the amount of \$486,505.26 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Minger Construction Inc., the Contractor for the project, has submitted Partial Pay Estimate No. 4 in the amount of \$486,505.26. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$113,843.23.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 4 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Pay Request No. 4 to Minger Construction, Inc. in the amount of \$486,505.26 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30th Street.”

ATTACHMENT(S):

1. Partial Pay Estimate No. 4

PROJECT PAY FORM

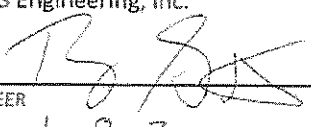
PARTIAL PAY ESTIMATE NO. <u>4</u>	FOCUS ENGINEERING, inc.
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LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS PROJECT NO. 2013.123	PERIOD OF ESTIMATE FROM <u>12/2/2013</u> TO <u>1/1/2014</u>
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PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER	CONTRACTOR: MINGER CONSTRUCTION, INC. 2471 GALPIN COURT, SUITE 110, PO BOX 236 CHANHASSEN, MN 55317-0236 ATTN: AARON HOEFS, PROJECT MANAGER
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	10/15/2013	\$0.00	\$19,603.70	1. Original Contract Amount	\$3,463,201.60
2	11/6/2013	\$9,070.00	\$0.00	2. Net Change Order Sum	-\$10,533.70
3	1/6/2014	\$0.00	\$0.00	3. Revised Contract (1+2)	\$3,452,667.90
				4. *Work Completed	\$2,276,864.53
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$2,276,864.53
				7. Retainage* <u>5.0%</u>	\$113,843.23
				8. Previous Payments	\$1,676,516.04
				9. Amount Due (6-7-8)	\$486,505.26
TOTALS		\$9,070.00	\$19,603.70		
NET CHANGE		(\$10,533.70)		*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE:	<u>9/9/2013</u>	ORIGINAL DAYS	<u>265</u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u>2/14/2014</u>	REVISED DAYS	<u>0</u>	YES	<input checked="" type="checkbox"/>
FINAL COMPLETION:	<u>6/1/2014</u>	REMAINING	<u>151</u>	NO	<input type="checkbox"/>

ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.	FOCUS Engineering, inc.  ENGINEER <u>1-8-2014</u> DATE
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CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.	CONTRACTOR  BY <u>1-8-2014</u> DATE
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APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA	
BY _____	BY _____
DATE _____	DATE _____

LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS
CITY OF LAKE ELMO, MINNESOTA
PROJECT NO. 2013.123

FOCUS ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 1 - GENERAL									
1	MOBILIZATION	LS	1	\$33,000.00	\$33,000.00	0.00	\$0.00	1	\$33,000.00
2	TRAFFIC CONTROL	LS	1	\$16,500.00	\$16,500.00	0.16	\$2,640.00	0.66	\$30,890.00
3	SILT FENCE	LF	3654	\$1.65	\$6,029.10	0.00	\$0.00	1,827	\$9,014.55
4	ROCK CONSTRUCTION ENTRANCE	EA	3	\$970.00	\$2,910.00	0.00	\$0.00	1	\$485.00
5	WATER FOR DUST CONTROL	MGAL	2	\$278.00	\$556.00	0.00	\$0.00	0	\$0.00
6	TREE REMOVAL	EA	206	\$266.00	\$54,796.00	1.00	\$266.00	208	\$55,394.00
7	CLEARING & GRUBBING	AC	1.9	\$4,160.00	\$7,904.00	0.00	\$0.00	1.9	\$7,904.00
8	INLET PROTECTION	EA	4	\$350.00	\$1,400.00	0.00	\$0.00	4	\$1,400.00
9	HYDRO MULCH W/ SEED & FERTILIZER	AC	9.46	\$9,700.00	\$93,113.00	1.30	\$4,810.00	4.30	\$15,910.00
10	SEEDING (WETLAND MIX)	AC	0.2	\$4,250.00	\$850.00	0.00	\$0.00	0	\$0.00
11	EROSION CONTROL BLANKET (WOOD FIBER)	SV	5625	\$1.30	\$6,187.50	0.00	\$0.00	0	\$0.00
12	TOPSOIL BORROW	CY	500	\$18.00	\$9,000.00	0.00	\$0.00	0	\$0.00
13	DITCH CHECK	LF	60	\$5.25	\$315.00	0.00	\$0.00	0	\$0.00
14	MODULAR BLOCK RETAINING WALL	SF	60	\$53.00	\$3,180.00	0.00	\$0.00	0	\$0.00
15	SALVAGE/SALVAGE AND REINSTALL EXISTING IRRIGATION PUMP HOUSE	LS	0	\$1,400.00	\$0.00	0.00	\$0.00	0	\$0.00
16	RAIN GARDEN	LS	1	\$11,500.00	\$11,500.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 1					\$186,860.60		\$7,716.00		\$178,897.55
DIVISION 2 - SANITARY SEWER									
1	CONNECT TO EXISTING MANHOLE	EA	1	\$11,600.00	\$11,600.00	0.00	\$0.00	1	\$11,600.00
2	SALVAGE & REINSTALL EXISTING SANITARY SEWER MANHOLE	EA	1	\$3,760.00	\$3,760.00	0.00	\$0.00	1	\$3,760.00
3	SALVAGE & REINSTALL EXISTING SANITARY SEWER	LF	100	\$84.00	\$8,400.00	0.00	\$0.00	52	\$4,368.00
4	LIFT STATION STRUCTURE, VALVE VAULT, AND PIPING	LS	1	\$187,000.00	\$187,000.00	0.50	\$93,500.00	1	\$187,000.00
5	LIFT STATION PUMPS AND ACCESSORIES	LS	1	\$66,750.00	\$66,750.00	0.75	\$50,062.50	1	\$50,062.50
6	LIFT STATION ELECTRICAL AND CONTROLS	LS	1	\$134,000.00	\$134,000.00	0.25	\$33,500.00	0	\$33,500.00
7	GENERATOR	LS	1	\$96,250.00	\$96,250.00	0.05	\$4,912.50	0	\$4,912.50
8	CHEMICAL FEED SYSTEM	LS	1	\$243,000.00	\$243,000.00	0.00	\$0.00	0	\$0.00
9	16" HDPE FORCEMAIN, INSTALLED BY HOJ	LF	15649	\$61.00	\$954,799.00	2,950.00	\$238,950.00	10,119	\$819,699.00
10	16" HDPE FORCEMAIN, INSTALLED BY OPEN CUT	LF	399	\$57.00	\$22,743.00	188.00	\$10,716.00	438	\$24,966.00
11	8" PVC, SDR 35 SANITARY SEWER (10'-15' DEPTH)	LF	15	\$155.00	\$2,325.00	0.00	\$0.00	15	\$2,325.00
12	8" PVC, SDR 35 SANITARY SEWER (15'-20' DEPTH)	LF	15	\$155.00	\$2,325.00	0.00	\$0.00	15	\$2,325.00
13	8" PVC, SDR 35 SANITARY SEWER (20'-25' DEPTH)	LF	0	\$155.00	\$0.00	0.00	\$0.00	0	\$0.00
14	18" PVC, SDR 26 SANITARY SEWER (10-15' DEPTH)	LF	213	\$91.00	\$19,383.00	0.00	\$0.00	211	\$19,201.00
15	18" PVC, SDR 26 SANITARY SEWER (15-20' DEPTH)	LF	193	\$91.00	\$17,563.00	0.00	\$0.00	193	\$17,563.00
16	18" PVC, SDR 26 SANITARY SEWER (20-25' DEPTH)	LF	23	\$358.00	\$8,234.00	0.00	\$0.00	20	\$7,160.00
17	24" SANITARY SEWER (0-10' DEPTH)	LF	45	\$116.00	\$5,220.00	16.00	\$4,176.00	61	\$7,076.00
18	24" SANITARY SEWER (10-15' DEPTH)	LF	999	\$116.00	\$115,884.00	0.00	\$0.00	1,513	\$175,598.00
19	24" SANITARY SEWER (15-20' DEPTH)	LF	1353	\$116.00	\$156,948.00	0.00	\$0.00	934	\$108,344.00
20	24" SANITARY SEWER (20-25' DEPTH)	LF	583	\$116.00	\$67,628.00	0.00	\$0.00	486	\$56,376.00
21	24" SANITARY SEWER (25-30' DEPTH)	LF	223	\$116.00	\$25,868.00	0.00	\$0.00	202	\$23,432.00
22	24" SANITARY SEWER (30-35' DEPTH)	LF	92	\$116.00	\$10,672.00	0.00	\$0.00	153	\$17,448.00
23	24" SANITARY SEWER (35-40' DEPTH)	LF	169	\$116.00	\$19,604.00	0.00	\$0.00	105	\$12,180.00
24	6" PVC, SDR 26 SOLVENT WELD SERVICE PIPE	LF	20	\$82.00	\$1,640.00	0.00	\$0.00	120	\$9,840.00
25	6" DN 18" WYE BRANCH	EA	1	\$1,140.00	\$1,140.00	0.00	\$0.00	6	\$6,840.00
26	48" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	12	\$4,900.00	\$58,800.00	1.00	\$4,900.00	11	\$53,900.00
27	54" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	4	\$8,400.00	\$33,600.00	0.00	\$0.00	5	\$42,000.00
28	48" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	120.1	\$73.00	\$8,767.30	0.00	\$0.00	112.0	\$8,173.00
29	54" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	44.1	\$120.00	\$5,292.00	1.50	\$180.00	56.2	\$6,746.40
30	72" CLEANOUT MANHOLE	EA	5	\$10,400.00	\$52,000.00	0.00	\$0.00	3	\$31,200.00
31	72" AIR RELEASE MANHOLE	EA	4	\$12,500.00	\$50,000.00	1.00	\$13,500.00	3	\$40,500.00
32	6" DIP CLASS 50 SANITARY SEWER	LF	0	\$108.00	\$0.00	0.00	\$0.00	0	\$0.00
33	18" DIP CLASS 50 SANITARY SEWER	LF	18	\$138.00	\$2,484.00	0.00	\$0.00	20	\$2,760.00
34	24" DIP CLASS 50 SANITARY SEWER	LF	36	\$301.00	\$10,836.00	0.00	\$0.00	40	\$12,040.00
35	EXTERNAL MANHOLE DROP	EA	3	\$9,300.00	\$27,900.00	0.00	\$0.00	2	\$18,600.00
36	18" RES. SEAT GATE VALVE & BOX	EA	16	\$8,000.00	\$128,000.00	2.00	\$16,000.00	12	\$96,000.00
37	EXCAVATE, SALVAGE, AND STOCKPILE WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0.00	\$0.00	300	\$300.00
38	PLACE SALVAGED WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0.00	\$0.00	300	\$300.00
39	TRENCH STABILIZATION ROCK	LF	300	\$32.00	\$9,600.00	0.00	\$0.00	0	\$0.00
40	TELEVISIONING	LF	6541	\$1.25	\$8,176.25	0.00	\$0.00	0	\$0.00
41	HORIZONTAL DIRECTIONAL DRILLING BORE PITS	LS	1	\$190,000.00	\$190,000.00	0.16	\$30,400.00	0.66	\$125,400.00
SUBTOTAL - DIVISION 2					\$3,099,123.65		\$500,797.00		\$2,050,945.48

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 3 - WATERMAIN									
1	8"X6" WET TAP (INCLUDE SLEEVE AND VALVE)	EA	0	\$5,100.00	\$0.00	0.00	\$0.00	0	\$0.00
2	6" DIP, CL 52 WATERMAIN	LF	100	\$41.00	\$4,100.00	0.00	\$0.00	100	\$4,100.00
3	6" RES. SEAT GATE VALVE & BOX	EA	1	\$1,300.00	\$1,300.00	0.00	\$0.00	1	\$1,300.00
4	6" HYDRANT (6"-6" BURY)	EA	1	\$4,600.00	\$4,600.00	0.00	\$0.00	1	\$4,600.00
SUBTOTAL - DIVISION 3					\$10,000.00		\$0.00		\$12,173.00
DIVISION 4 - STREETS AND RESTORATION									
1	SAMECUT BITUMINOUS PAVEMENT	LF	85	\$5.50	\$467.50	0.00	\$0.00	24	\$132.00
2	REMOVE PIPE CULVERT (ALL TYPES & SIZES)	LF	178	\$4.50	\$801.00	0.00	\$0.00	178	\$801.00
3	SALVAGE & REINSTALL WOOD WHER	EA	1	\$1,050.00	\$1,050.00	0.00	\$0.00	1.0	\$1,050.00
4	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, DRIVES	SY	120	\$2.50	\$300.00	0.00	\$0.00	125	\$312.50
5	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, STREETS	SY	25	\$2.50	\$72.50	0.00	\$0.00	39	\$113.10
6	REMOVE & DISPOSE OF EXIST. CONCRETE CURB & GUTTER	LF	20	\$2.50	\$50.00	0.00	\$0.00	25	\$62.50
7	LIFT STATION SITE GRADING	LS	1	\$21,600.00	\$21,600.00	0.85	\$18,360.00	1	\$18,360.00
8	CL 5 AGGREGATE BASE	TN	1101	\$18.00	\$19,818.00	874.35	\$15,741.90	918	\$16,425.00
9	SPWEA2408 BITUMINOUS WEAR COURSE, DRIVES	SY	120	\$44.00	\$5,280.00	0.00	\$0.00	0	\$0.00
10	SPNWB2308 BITUMINOUS NON-WEAR COURSE, STREETS	TN	165	\$194.00	\$32,010.00	0.00	\$0.00	7	\$1,358.00
11	SPWEA2408 BITUMINOUS WEAR COURSE, STREETS	TN	125	\$194.00	\$24,250.00	0.00	\$0.00	0	\$0.00
12	BITUMINOUS MATERIAL FOR TACK COAT	GA	69	\$4.25	\$293.25	0.00	\$0.00	0	\$0.00
13	CONCRETE CURB & GUTTER	LF	20	\$55.00	\$1,100.00	0.00	\$0.00	0	\$0.00
14	CL 5 AGGREGATE BASE, SHOULDER	TN	55	\$47.00	\$2,585.00	0.00	\$0.00	0	\$0.00
15	15" CMP PIPE CULVERT W/APRON	LF	178	\$47.00	\$8,366.00	100.00	\$4,700.00	286	\$13,442.00
16	CL 3 RPP RAP W/ GEOTEXTILE FABRIC	CY	5	\$125.00	\$625.00	0.00	\$0.00	0	\$0.00
17	OFF ROAD STRUCTURE MARKER	EA	25	\$88.00	\$2,200.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 4					\$178,916.25		\$36,801.90		\$57,136.00

TOTALS - BASE CONTRACT \$3,416,960.40 \$547,314.90 \$2,744,152.03

CHANGE ORDER NO. 1

CO1-1	8" PVC, SDR 23.5 SANITARY SEWER (25'-30' DEPTH)	LF	44.0	\$200.00	\$8,800.00	0.00	\$0.00	44.0	\$8,800.00
CO1-2	4" POLYSTYRENE INSULATION	SY	10.5	\$35.00	\$367.50	42.50	\$1,487.50	42.5	\$1,487.50

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

CHANGE ORDER NO. 2

CO2-1	COST FOR ADDITIONAL EASEMENT TO RELOCATE MH 0-1	LS	1.0	-\$3,500.00	-\$3,500.00	0.00	\$0.00	1.0	-\$3,500.00
CO2-2	8" X 8" WET TAP INCL. VALVE & SLEEVE	EA	1.0	\$5,500.00	\$5,500.00	0.00	\$0.00	1.0	\$5,500.00
CO2-3	12" DIP CL 52 WATERMAIN INCL. FITTINGS	LF	326.0	\$75.00	\$24,450.00	0.00	\$0.00	283.0	\$21,225.00

TOTALS - CHANGE ORDER NO. 2 \$26,660.00 \$0.00 \$23,225.00

TOTALS - REVISED CONTRACT \$3,452,667.90 \$548,802.40 \$2,276,864.53



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
CONSENT \$\$
ITEM #: 8

AGENDA ITEM: Approve Predictive Index Hiring Tool

SUBMITTED BY: Dean Zuleger, City Administrator

THROUGH: Mayor Mike Pearson

REVIEWED BY: Adam Bell, Asst. Administrator / HR,
Cathy Bendel, Finance Director,
Mike Reeves, HR Committee

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECCOMENDER: City Administrator

FISCAL IMPACT: \$3100 (Small Organization Discount)

SUMMARY AND ACTION REQUESTED: Use the Predictive Index Diagnostic Tool to place current employees in the most productive working environments, improve HR management efficiency, and improve hiring by evaluating compatibility in the screening process. As part of its consent agenda, no specific motion is required. Should Council remove this item from Consent, the recommended motion would be as follows:

“Move to approve the expenditure of \$3100 for the subscription to the Predictive Employee Evaluation Program with the funds coming from the 2014 Contingency Fund.”

LEGISLATIVE HISTORY: None – the City has used traditional hiring practices in the past.

BACKGROUND INFORMATION: With growth imminent, it is important for the City to employ the best hiring practices to ensure that the right employees are brought into the organization. In addition, recent staff interviews have revealed that as many as 25% of our employees are not in a “good fit” for their own edification and organizational efficiency. Predictive Index is an EEOC approved tool that measures employment characteristics that:

1. Tells the organization how an individual likes to work;
2. Evaluates how the individual feels the organization wants them to work;
3. Measures how the individual synthesizes the two points above to create a work style.

The **attached material** provided goes into greater detail on methodology and applicability.

BACKGROUND INFORMATION (SWOT):

Strengths: Provides objective, empirical methodology for the selection and assignment of City employees. Methodology sanctioned by the EEOC. City Administrator is certified in the system.

Weakness: Removes “intangibles” and nuance of personality in the selection process.

Opportunities: Allows City to increase workplace productivity and efficiency by placing employees in roles that maximize their effectiveness.

Threats: May cause organizational disruption with the replacement, release or reassignment of tasks with the current employee pool.

RECOMMENDATION: To stabilize the hiring and assignment process in the staffing of the City of Lake Elmo, the City Administrator recommends the following:

“Move to approve the expenditure of \$3100 for the subscription to the Predictive Employee Evaluation Program with the funds coming from the 2014 Contingency Fund.”

ATTACHMENTS:

1. What is the Predictive Index?



PI Worldwide

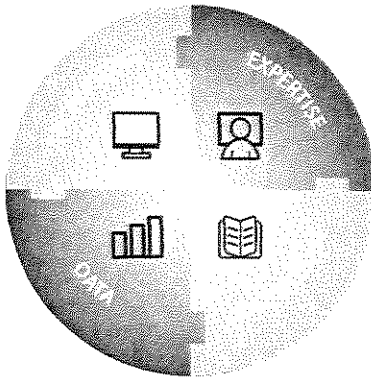
What is The Predictive Index® (PI®)?

Predictive Index® (PI®) is a scientifically validated assessment that accurately predicts workplace behaviors and tendencies.

Who is PI Worldwide? www.PIWorldwide.com

PI Worldwide and its global consulting network combine the power of predictive data with business expertise to help organizations worldwide achieve a competitive advantage. Trusted advisors since 1955, we help organizations align their people with their strategy to create long-term sustainable results.

Our Methodology



Data Driven

Science-based assessments are the foundation of our methodology – everything starts with the data. Our assessments measure critical dimensions of behaviors and skills in the workplace. The Predictive Index assessment, developed in 1955, was among the first to quantify the importance of behavioral drives and needs in the workplace. Since then, we've added additional assessments that continue the tradition of providing you with unprecedented insight into your leaders, employees, and candidates.

Knowledge Transfer

Education and knowledge transfer are essential elements of our partnering strategy with our clients. For more than 50 years, we have helped our clients develop subject matter experts to interpret and apply their own data within the context of their own organizations. Our powerful programs, combined with ongoing complimentary support, ensure competence is developed inside your organization. Our clients cite our education programs as transformational in their ability to manage and lead others and to better understand themselves.

Technology

In today's fast-paced organizations, our clients require on-demand access to our tools and data. To support this need, we offer a variety of web-based solutions that allow you to collect, analyze, and apply assessment data to your most critical business challenges. We also offer robust integrations to industry-leading HRIS and ATS platforms to automate the process of applying workforce analytics more easily.

Expertise

Our global consulting network consists of 45 [Member Firms](#) representing 400 professional consultants. These experts provide the highest levels of applied experience, industry knowledge, and service. As part of the PI Worldwide community, each consultant brings a unique combination of global experience and local presence. They serve as trusted business advisors and have earned a client retention rate of more than 90%. Our consultants can engage with your organization for strategy planning sessions, group analytics work, team optimization, leadership development, succession planning, and strategic workforce planning.



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
REGULAR
ITEM # 9
No SWOT Analysis

AGENDA ITEM: Council Meeting Date Change
SUBMITTED BY: Beckie Gumatz, Deputy Clerk
THROUGH: Dean Zuleger, City Administrator
REVIEWED BY: Adam Bell, Assistant City Administrator/City Clerk

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: State Law

FISCAL IMPACT: NA

SUMMARY AND ACTION REQUESTED: City Council is respectfully requested to move the City Council meeting from Tuesday, February 4, 2014 to Wednesday, February 5, 2014 due to Precinct Caucuses. The recommended motion for this action is as follows:

“Move to approve moving the Tuesday, February 4, 2014 Council Meeting to Wednesday, February 5, 2014, due to Precinct Caucuses.”

LEGISLATIVE HISTORY: When the 2014 Meeting calendar was presented and approved at the December 17, 2013 meeting, the date of Precinct Caucuses was overlooked. State law prohibits cities from holding meetings after 6:00pm on the date of Precinct Caucuses. By moving the meeting to Wednesday, the City will be better able to conduct its business.

RECOMMENDATION: City Council is respectfully requested to move the City Council meeting from Tuesday, February 4, 2014 to Wednesday, February 5, 2014 due to Precinct Caucuses. The recommended motion for this action is as follows:

“Move to approve moving the Tuesday, February 4, 2014 Council Meeting to Wednesday, February 5, 2014, due to Precinct Caucuses.”

DATE: January 21, 2014
REGULAR
ITEM 10

AGENDA ITEM: Inwood Booster Station and Trunk Watermain Improvements – Public Improvement Hearing; Resolution Ordering the Improvement and the Preparation of Plans and Specifications; Motion to Approve Engineering Design and Construction Support Services Contract

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director
Chad Isakson, Project Engineer

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Engineer
- Report/Presentation..... City Engineer
- Questions from Council to Staff..... Mayor Facilitates
- Open Public Improvement Hearing; Public Input Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: Engineering

FISCAL IMPACT: \$166,000 for preparation of plans and specifications which includes geotechnical investigations for design.

The Inwood Booster Station and Trunk Watermain Improvement project is a \$3.84 million water system infrastructure project that is programmed for construction in the 2014 Capital Improvement Plan. The Capital Improvement Plan is funded as detailed in the city financial pro forma previously presented and accepted by the city council. More specifically this project will be funded through the water enterprise fund and special assessments as identified in the feasibility report.

Approving the Plans and Specifications and entering into a professional services contract commits the city to incur the engineering and geotechnical costs necessary to complete detailed design and receive contractor bids to ready the project for construction in April 2014. The council will be asked to award a contract for watermain construction in May 2014 and the booster station construction in June 2014, at which time the city would commit to the remaining project costs.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to open the Public Improvement Hearing for the Inwood Booster Station and Trunk Watermain Improvements; and following the Hearing, consider adopting Resolution No. 2014-06 Ordering the Improvement and the Preparation of Plans and Specifications; and awarding a Professional Engineering Design and Construction Support Services Contract. The recommended motions for these actions are as follows:

“Move to adopt Resolution No. 2014-07 Ordering the Inwood Booster Station and Trunk Watermain Improvements and the Preparation of Plans and Specifications.”

and

“Move to approve the updated Professional Engineering Support Services Consulting Pool, thereby adding MSA Professional Services, Inc. in the area of General Municipal Services.”

and

“Move to approve a Professional Engineering Design and Construction Support Services Contract to MSA Professional Services, Inc. in the not to exceed amount of \$200,772.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Pursuant to Minnesota Statutes, Section 429.011 to 429.111, a Public Improvement Hearing was noticed for January 21, 2014, to consider making the following improvements:

- Extension of trunk watermain facilities along Inwood Avenue from 26th Street North to Eagle Point Boulevard, passing through the Parkview Estates neighborhood.
- Construction of a water booster station to increase water pressures in the southern part of the city.

The attached notice was published in the official newspaper and individual notifications were sent to each address that potentially will be assessed a portion of the project costs. In addition a resident meeting was held on January 15, 2014 to present the information to the benefitting property owners identified in the report.

This project is programmed for construction in the 2014 Capital Improvement Plan. The feasibility report was authorized by the city council on August 6, 2013 in order to ready this project for 2014 construction. The report identified the necessary improvements, estimated project costs, assessment methodology and preliminary assessment amounts to be levied against properties adjacent to and benefitting from the improvements.

The proposed improvements include the extension of trunk watermain facilities along Inwood Avenue from 26th Street North to Eagle Point Boulevard, connecting to the existing water system in the Eagle Point Business Park. The feasibility report recommended that water service be extended into the Parkview Estates neighborhood to provide a more efficient water distribution network that includes additional properties along the selected route.

A water booster station has been identified as part of this improvement to increase water pressures in the southern part of the city due to higher topography. These improvements are consistent with the 2030 Water System Comprehensive Plan which identifies the southwestern part of the city as the high water pressure zone. Property acquisition is necessary in the vicinity of 26th Street North and Inwood Avenue to accommodate the water booster station facility.

Individual home service stubs and fire hydrants will be installed as watermain is extended past existing residential properties. There are properties adjacent to this improvement project that will gain direct access to connect to the water system, without being assessed for a lateral watermain in the future. Two properties have been identified along Inwood Avenue to be assessed a \$5,800 lateral benefit assessment since the trunk watermain will be placed adjacent to their residence. In addition, there are twenty-five (25) properties located in the Parkview Estates neighborhood that will be served by the project. The city has the option to install the trunk watermain on Inwood Avenue and bypass this neighborhood altogether. Therefore, the added costs to include the Parkview Estates neighborhood were determined. Applying the Special Assessment Policy, 100% of the added costs should be assessed to the 25 properties, resulting in a preliminary unit assessment amount of \$16,500.

To complete the engineering design, the city engineer prepared and sent out a Request for Proposal (RFP) for Engineering Support Services that includes a full topographic survey, the preparation of plans and specifications; plan printing, distribution and bidding services; construction administration support to the city engineer, and construction staking. FOCUS Engineering will provide resident and council communication, conduct public meetings, project management, coordinate the project permitting, and will provide construction administration services for the project. FOCUS will also oversee the project design and quality control review, lead site acquisition for the booster station, and provide city design standards and documents to be incorporated with the project plans. Construction observation services will be retained at a later date once the project has been bid and awarded for construction.

The RFP was sent to five firms from the city's Engineering Consultant Pool, including AE2S, Bolton and Menk, TKDA, MSA and SEH. The proposals were received on January 10, 2014 and were reviewed and ranked on the following basis:

- Project Team Qualifications with a focus on a Project Manager capable of leading and delivering a utility extension project using directional drilling installation techniques;
- Demonstrated understanding and experience with the project and understanding of the critical success factors;
- Understanding the scope of work and roles and responsibilities of the Consultant;

- Collaboration skills and responsiveness demonstrated during the RFP submittal process:
and
- Engineering Fees, indicating a detailed breakdown that is consistent with the Consultant's written proposal.

The attached exhibit provides the Proposal Fee Summary as received by the responding consultants, together with staff adjustments needed to reconcile the requested work scope for the project. The Proposal Fees ranged from \$128,935 to \$353,030. Engineering Fees are subtotaled for each project phase including project management, plans and specifications, bidding, and construction support services including construction staking. Full construction phase services including construction observation is included in the consultant's fee for the booster station.

The city engineer is recommending a contract be awarded to MSA Professional Services, Inc. MSA has assigned a qualified project manager and a highly qualified team to handle both the watermain utility work and the complex design work needed for the booster station. While the MSA fee is higher than several other proposals, we believe that they have submitted the best work plan that proposes the appropriate level of hours necessary by the various level of technical expertise to successfully implement this improvement project. Their proposal identifies a thorough understanding of the work to be performed and they are aware of key issues related to the corridor.

RECOMMENDATION:

Staff is recommending that the City Council adopt Resolution No. 2014-06 Ordering the Improvements and the Preparation of Plans and Specifications for the Inwood Booster Station and Trunk Watermain Improvements. Ordering a 429 Public Improvement project without a resident petition requires a super majority 4/5 vote. The recommended motion for this action is as follows:

“Move to adopt Resolution No. 2014-07 Ordering the Inwood Booster Station and Trunk Watermain Improvements and the Preparation of Plans and Specifications.”

Staff is also recommending that the City Council consider approving the updated Professional Engineering Support Services Consulting Pool, thereby adding MSA Professional Services, Inc, (MSA) in the area of General Municipal Services. The recommended motion for this action is as follows:

“Move to approve the updated Professional Engineering Support Services Consulting Pool, thereby adding MSA Professional Services, Inc. in the area of General Municipal Services.”

Staff is also recommending that the City Council award a Professional Engineering Design and Construction Support Services Contract for the Inwood Booster Station and Trunk Watermain Improvements. The recommended motion for this action is as follows:

“Move to approve a Professional Engineering Design and Construction Support Services Contract to MSA Professional Services, Inc. in the not to exceed amount of \$200,772.”

ATTACHMENT(S):

1. Resolution 2014-07 Ordering the Improvements and Preparation of Plans and Specifications.
2. Notice of Hearing on Improvement.
3. Preliminary Assessment Roll.
4. Project Schedule.
5. Location Map.
6. Professional Engineering Support Services Consulting Pool; updated January 21, 2014.
7. Proposal Fee Summary Worksheet.
8. Feasibility Report *(available for review at City Hall)*

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

RESOLUTION NO. 2014-07

**A RESOLUTION ORDERING THE IMPROVEMENT AND PREPARATION OF PLANS AND
SPECIFICATION
FOR THE INWOOD BOOSTER STATION AND
TRUNK WATERMAIN IMPROVEMENTS**

WHEREAS, pursuant a resolution of the city council adopted the 3rd day of December, 2013, the council ordered a hearing on Improvement for the Inwood Booster Station and Trunk Watermain Improvements; and

WHEREAS, ten days' mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 21st day of January, 2014, at which all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, the feasibility report prepared by FOCUS Engineering, Inc., and dated November 2013 states that the project is necessary, cost-effective, and feasible; and

WHEREAS, in order to provide municipal water to developing properties located south of 10th Street N the city needs to design and construct a booster station and a trunk watermain along Inwood Avenue North from 26th Street North to Eagle Point Boulevard.

NOW, THEREFORE, BE IT RESOLVED,

1. Such improvement is deemed necessary, cost-effective, and feasible as detailed in the Feasibility Report dated November 2013.
2. Such improvement is hereby ordered as proposed in the council resolution adopted this 21st day of January, 2014.
3. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.
4. The city engineer is hereby designated as the engineer for making this improvement. The engineer, and his consultants, shall oversee the preparation of the Plans and Specifications for the making of such improvement.
5. The city engineer shall retain the services of a consulting engineering firm to assist, where needed, to prepare Plans and Specifications for the making of such improvement and to assist the city engineer during the construction phase of the improvement as requested.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE TWENTY FIRST DAY OF JANUARY, 2014.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)
ATTEST:

Adam Bell
City Clerk

CITY OF LAKE ELMO
NOTICE OF HEARING ON IMPROVEMENT
INWOOD BOOSTER STATION AND TRUNK WATERMAIN IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the council chambers of the city hall at or approximately after 7:00 P.M. on Tuesday, January 21, 2014, to consider the making of the following improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111;

The improvement will consist of extending the water system approximately 2.8 miles south along Inwood Avenue beginning at 26th Street North, deviating into Parkview Estates along Ivory Avenue North, and back along Inwood Avenue south to and along future 5th Street, to provide municipal water service to developing properties in the southwest part of the City. Individual service stubs will be installed to properties with existing homes that are located adjacent to the watermain improvements. Fire hydrants will be installed along the corridor, providing increased fire suppression capabilities in the extended service area.

The area proposed to be assessed for these improvements include the properties with existing residences and located along Inwood Avenue and Ivory Avenue North, directly abutting the location of the proposed watermain improvements. The estimated total cost of the improvements is \$3,840,000. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting.

DATED: December 3, 2013

BY ORDER OF THE LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

(Published in the Oakdale-Lake Elmo Review on December 11, 2013 and December 18, 2013)

NO.	NAME		ADDRESS		PID	UNITS
1	EBERHARD CAROLINE M TRS & ATTN AL EBERHARD	2298	INWOOD AVE N LAKE ELMO	55042	2102921310001	\$ 5,800
2	MEEHAN FAMILY LLC	2038	INWOOD AVE N LAKE ELMO	55042	2102921340013	\$ 5,800
1	HANSON KENNETH L & ANNETTE M C	1873	IVORY AVE N LAKE ELMO	55042	2802921120023	\$ 16,500
2	SAULSBURY KIM B & THERESA D	1849	IVORY AVE N LAKE ELMO	55042	2802921120022	\$ 16,500
3	KLOSNER MARK S & BARBARA F	1827	IVORY AVE N LAKE ELMO	55042	2802921120021	\$ 16,500
4	WILLIAMS JAMES M & SUSAN T	1805	IVORY AVE N LAKE ELMO	55042	2802921120020	\$ 16,500
5	HANGGE JOSEPH P & MICHELE L	1779	IVORY AVE N LAKE ELMO	55042	2802921120019	\$ 16,500
6	NELSON DAVID F & LESLIE R	1757	IVORY AVE N LAKE ELMO	55042	2802921120018	\$ 16,500
7	FORLITI EDWARD J & CYNTHIA J	1743	IVORY AVE N LAKE ELMO	55042	2802921120017	\$ 16,500
8	KNUTSON BRANDON J & JODI F FISH	1727	IVORY AVE N LAKE ELMO	55042	2802921120016	\$ 16,500
9	AXBERG GARY T & JEANETTE	1709	IVORY AVE N LAKE ELMO	55042	2802921120015	\$ 16,500
10	BARTOSH PETER T & SANDRA K	1697	IVORY AVE N LAKE ELMO	55042	2802921120014	\$ 16,500
11	YOCUM TIMOTHY C & SHANNON C S	1694	IVORY AVE N LAKE ELMO	55042	2802921120009	\$ 16,500
12	BEARTH GREGORY A & MELISSA A	1681	IVORY AVE N LAKE ELMO	55042	2802921120013	\$ 16,500
13	DEEB TIFFNI & DANIEL L	1680	IVORY AVE N LAKE ELMO	55042	2802921120008	\$ 16,500
14	WORTMAN STEPHEN D & CHERYL L	1668	IVORY AVE N LAKE ELMO	55042	2802921120007	\$ 16,500
15	IVERSON JEFFREY S & JULI A	1663	IVORY AVE N LAKE ELMO	55042	2802921120012	\$ 16,500
16	BATTAH ABDALLA M & DEBRA J	1654	IVORY AVE N LAKE ELMO	55042	2802921120006	\$ 16,500
17	ANDERSON DAVID M & MARIA V	1645	IVORY AVE N LAKE ELMO	55042	2802921120011	\$ 16,500
18	SNIDER BERT W & TERRI L	1636	IVORY AVE N LAKE ELMO	55042	2802921120005	\$ 16,500
19	ANDERSON JAMES L & KARIN L	1627	IVORY AVE N LAKE ELMO	55042	2802921120010	\$ 16,500
20	HAUGE ROBERT JR & LAIS MONICA	1615	IVORY AVE N LAKE ELMO	55042	2802921130018	\$ 16,500
21	JACOBS PHILLIP	1584	IVORY AVE N LAKE ELMO	55042	2802921130017	\$ 16,500
22	ROLANDO RICHARD J & JEAN M	1583	IVORY AVE N LAKE ELMO	55042	2802921130014	\$ 16,500
23	HENEHAN THOMAS A & MARY L	1570	IVORY AVE N LAKE ELMO	55042	2802921130016	\$ 16,500
24	RICKERT BRENDA	1567	IVORY AVE N LAKE ELMO	55042	2802921130015	\$ 16,500
25	KUMP SUZANNE & JOHN	1539	IVORY CT N LAKE ELMO	55042	2802921130008	\$ 16,500
TOTAL						\$ 424,100

PROJECT SCHEDULE
CITY OF LAKE ELMO

FOCUS ENGINEERING, inc.

INWOOD BOOSTER STATION AND
TRUNK WATERMAIN IMPROVEMENTS
PROJECT NO. 2012.126

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

JANUARY 2014

TRUNK WATERMAIN PROJECT SCHEDULE

January 21, 2014 Public Improvement Hearing. Council Orders Improvement and Preparation of plans and specifications.

April 15, 2014 Council approves Plans and Specifications; Orders Advertisement for Bids.

May 13, 2014 Receive Contractor Bids.

May 20, 2014 Council accepts bids and awards Contract.

June 9, 2014 Conduct Pre-construction Meeting and Issue Notice to Proceed.

September, 2014 Substantial completion.

October, 2014 Final completion.

BOOSTER STATION PROJECT SCHEDULE

January 21, 2014 Public Improvement Hearing. Council Orders Improvement and Preparation of plans and specifications.

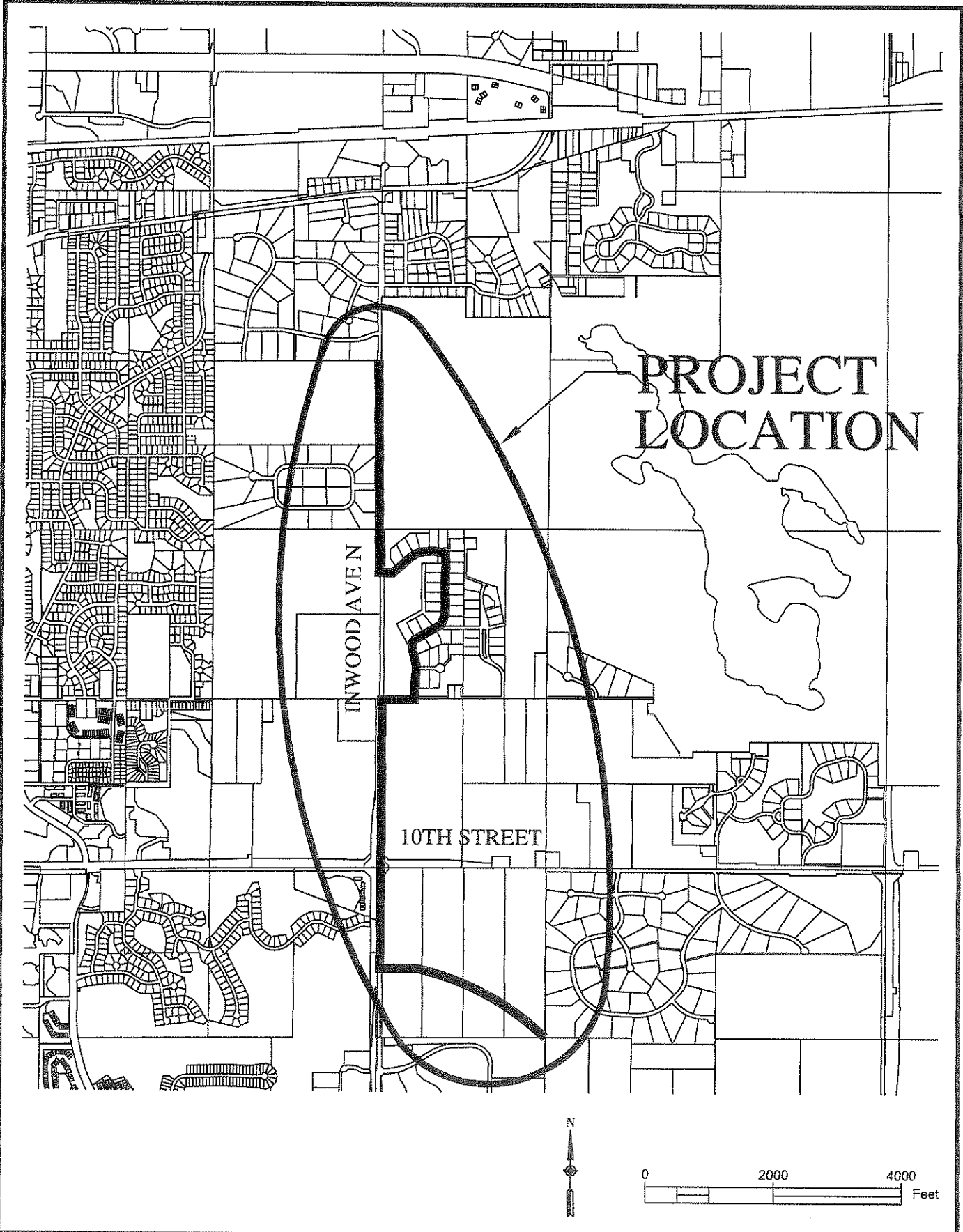
May 20, 2014 Council approves Plans and Specifications; Orders Advertisement for Bids.

June 12, 2014 Receive Contractor Bids.

June 17, 2014 Council accepts bids and awards Contract.

June 30, 2014 Conduct Pre-construction Meeting and Issue Notice to Proceed.

Engineer Recommendation - Substantial and Final completion.



**FOCUS
ENGINEERING**

PROJ. NO. 2012.126
LAKE ELMO, MINNESOTA
NOVEMBER, 2013

FIGURE NO. 1
LOCATION MAP
INWOOD BOOSTER STATION AND TRUNK
WATERMAIN IMPROVEMENTS

TABLE 1

CITY OF LAKE ELMO - PROFESSIONAL ENGINEERING SUPPORT SERVICES CONSULTING POOL						
General Municipal Services	Traffic Engineering & Transportation Planning	Water System	Wastewater	Surface Water	Municipal Buildings & Facilities	Parks, Landscaping, Urban Design
Bolton & Menk Inc. FOTH Infrastructure MSA Professional Services STANTEC Stevens TKDA	SRF Consulting Spack Consulting, Inc.	Barr Engineering Inc SEH AEZS KLM Engineering Inc.	Barr Engineering Inc AEZS	Emmons Olivier Resources Hydromethods Solution Blue Barr Engineering Inc	No Award	No Award
<p>General Services - Specialties</p> <p>Surveying / Easements Cornerstone Land Survey E.G.Rud and Sons, Inc. Folz, Freeman and Erickson</p> <p>Water Tower Maintenance / Antennas KLM Engineering Inc.</p> <p>GIS / Mapping Flat Rock Geographics</p>						

**CITY OF LAKE ELMO, MINNESOTA
 INWOOD BOOSTER STATION AND TRUNK WATERMAIN IMPROVEMENTS
 PROJECT NO. 2012.126**

DATE RECEIVED: JANUARY 10, 2014

PROPOSAL FEE SUMMARY - AS RECEIVED

Consulting Firm	Total Engineering	Project Management	P&S	Bidding	Construction	Topo Survey
AE2S	\$353,030	\$15,991	\$236,539	\$17,456	\$83,044	??
Bolton & Menk, Inc.	\$155,851	\$9,360	\$98,312	\$2,958	\$45,222	\$9,531
MSA Professional Services, Inc.	\$200,772	\$4,090	\$113,180	\$3,379	\$80,123	\$17,620
SEH, Inc.	\$125,695	\$6,048	\$75,537	\$3,162	\$40,948	\$12,180
TKDA, Inc.	\$178,540		\$111,330	\$7,130	\$60,080	\$11,057

PROPOSAL FEE SUMMARY - STAFF ADJUSTED

Consulting Firm	Total Engineering	Project Management	P&S	Bidding	Construction	Topo Survey
AE2S	\$353,030	\$15,991	\$236,539	\$17,456	\$83,044	??
Bolton & Menk, Inc.	\$155,851	\$9,360	\$88,781	\$2,958	\$45,222	\$9,531
MSA Professional Services, Inc.	\$200,772	\$4,090	\$95,560	\$3,379	\$80,123	\$17,620
SEH, Inc.	\$128,935	\$6,048	\$63,357	\$3,162	\$44,188	\$12,180
TKDA, Inc.	\$181,500	\$5,052	\$95,221	\$7,130	\$63,040	\$11,057



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
REGULAR
ITEM # 11

AGENDA ITEM: Well No. 4 Connecting Watermain Improvements – Approve Plans and Specifications and Order Advertisement for Bids

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT:

The total estimated project cost for Well No. 4 Connecting Watermain Improvements is \$617,000. The project is scheduled to be paid through a combination of DEED grant money (\$260,000) and water enterprise funds (\$357,000). The city cost share, or water enterprise funds, will be financed through the issuance of bonds with the bond payments paid with the collection of water availability and water connection charges.

Approval of this resolution does not commit the council to the project costs. Once contractor bids are received, the actual construction costs will be known and the council will be asked to consider entering into a contract to complete the work.

SUMMARY AND ACTION REQUESTED:

The city council is respectfully requested to consider approving the plans and specifications and ordering the advertisement for bids for the Well No. 4 Connecting Watermain Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-08, approving the plans and specifications and ordering the advertisement for bids for the Well No. 4 Connecting Watermain Improvements.”

LEGISLATIVE HISTORY:

In accordance with the 2013-2014 Capital Improvement Plan, the city is pursuing the addition of a new water supply well, Well No. 4, to support the current and future growth and development water supply needs for the city. The project is being completed under three separate contracts to align with the various required contractor specialties including a well driller; a building contractor with electrical, controls, and HVAC specialties; and a directional drilling utility contractor. All three contracts, along with the Keats Trunk Watermain Improvements, are part of the city’s water system DEED grant, whereby the city must expend \$1.0 million in local matching funds to receive the \$1.0 million state bond grant. Per the Grant Agreement, all grant funds must be fully expended by December 31, 2014. The well drilling for Well No. 4 is near completion.

On August 6, 2013, the council authorized the preparation of plans and specifications for the Well No. 4 Connecting Watermain Improvements. In accordance with the project schedule, the plans and specifications for the Pumphouse have been completed and are ready to be advertised for contractor bids.

BACKGROUND INFORMATION:

Plans and Specifications have been completed for the Well No. 4 Connecting Watermain Improvements. The Engineer’s opinion of probable construction cost is \$447,860. The improvements include:

- Construction of a approximately 4,400 LF of 12-inch watermain to connect Well No. 4 to the existing distribution system.
- Installation of 10 service stubs to existing properties to provide property owners the opportunity to hook up to municipal water.
- Erosion control, cleanup and site restoration.

RECOMMENDATION:

Staff is recommending that the City Council approve the plans and specifications and order the advertisement for bids for the Well No. 4 Connecting Watermain Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-08, approving the plans and specifications and ordering the advertisement for bids for the Well No. 4 Connecting Watermain Improvements.”

ATTACHMENT(S):

1. Resolution 2014-08 Approving Plans and Specifications and Ordering Advertisement for Bids.
2. Location Map.
3. Project Schedule.
4. Well No. 4 Connecting Watermain Plans and Specifications (*available for review at City Hall*).

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

RESOLUTION NO. 2014-08

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS FOR THE
WELL NO. 4 CONNECTING WATERMAIN IMPROVEMENTS**

WHEREAS, pursuant to a resolution passed by the city council on the 6th day of August, 2013, the city engineer, together with Bolton and Menk, Inc. has prepared plans and specifications for the Well No. 4 Connecting Watermain Improvements and has presented such plans and specifications to the council for approval.

NOW, THEREFORE, IT IS HEREBY 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 posted online with Quest Construction Data Network (QuestCDN.com) 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.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE TWENTY-FIRST DAY
OF JANUARY 2014.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk



LEGEND





-  PROPOSED WATERMAIN
-  PROPOSED WATERMAIN SERVICE STUB
-  PROPOSED HYDRANT
-  ASSESSABLE PROPERTY



FIGURE NO. 2

**FOCUS
ENGINEERING**

PROJ. NO. 2013.131
LAKE ELMO, MINNESOTA
SEPTEMBER, 2013

PROPOSED WATERMAIN IMPROVEMENTS
WELL NO. 4 CONNECTING
WATERMAIN IMPROVEMENTS

PROJECT SCHEDULE
CITY OF LAKE ELMO

FOCUS ENGINEERING, inc.

WELL NO. 4 CONNECTING WATERMAIN IMPROVEMENTS
PROJECT NO. 2013.131

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

JANUARY 2014

August 6, 2013	Presentation of Preliminary Study Findings. Council authorizes Feasibility Report.
September 3, 2013	Presentation of Feasibility Report. Council accepts Report and Calls Hearing.
September 19, 2013	Property owner meeting. Presentation of Report findings and recommendations.
October 1, 2013	Public Improvement Hearing. Council orders Preparation of plans and specifications.
January 21, 2014	Council approves Plans and Specifications; Orders Advertisement for Bids.
February 20, 2014	Receive Contractor Bids.
March 4, 2014	Council accepts bids and awards Contract.
April 1, 2014	Conduct Pre-construction Meeting and Issue Notice to Proceed.
June 20, 2014	Substantial completion (estimated 12 weeks).
July 18, 2014	Final Completion.



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
REGULAR
ITEM # 12

AGENDA ITEM: Lake Elmo Avenue Trunk Watermain Improvements – Approve Engineering Design and Construction Support Services Contract

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Chad Isakson, Project Engineer

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

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

POLICY RECOMMENDER: Engineering.

FISCAL IMPACT: \$80,000 for preparation of plans and specifications which includes geotechnical investigations for design.

The Lake Elmo Avenue Trunk Watermain Improvement project is a \$3.0 million water system infrastructure project that is programmed for construction in the 2014 Capital Improvement Plan. The Capital Improvement Plan is funded as detailed in the city financial pro forma previously presented and accepted by the city council. More specifically this project will be funded through the water enterprise fund and special assessments as identified in the feasibility report.

Entering into a professional services contract commits the city to incur the engineering and geotechnical costs necessary to complete detailed design and receive contractor bids to ready the project for construction in 2014. The council will be asked to award a contract for construction in April 2014, at which time the city would commit to the remaining project costs.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider awarding a Professional Engineering Design and Construction Support Services Contract for the Lake Elmo Avenue Trunk Watermain Improvements to

TKDA, Inc. in the estimated not to exceed amount of \$66,500. The recommended motion for this action is as follows:

“Move to approve a Professional Engineering Design and Construction Support Services Contract for the Lake Elmo Avenue Trunk Watermain Improvements to TKDA, Inc. in the estimated not to exceed amount of \$66,500.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

On December 3, 2013, following a public improvement hearing, the City Council authorized the preparation of plans and specifications for the Lake Elmo Avenue Trunk Watermain Improvements. The proposed improvements include the extension of trunk watermain along Lake Elmo Avenue, from the existing Village water system, south approximately 2.5 miles to the future intersection location of Lake Elmo Avenue and 5th Street. The improvements are identified for construction in 2014 and are consistent with the capital improvement plan.

To complete the engineering design, the city engineer prepared and sent out a Request for Proposal (RFP) for Engineering Support Services that includes a design survey, the preparation of plans and specifications; plan printing, distribution and bidding services; construction administration support to the city engineer, and construction staking. FOCUS Engineering will provide resident and council communication, conduct public meetings, project management, coordinate the project permitting, and will provide construction administration services for the project. FOCUS will also oversee the project design and quality control review, and provide city design standards and documents to be incorporated with the project plans. Construction observation services will be retained at a later date once the project has been bid and awarded for construction.

The RFP was sent to four firms from the city’s Engineering Consultant Pool, including AE2S, Bolton & Menk, TKDA, and SEH. Three proposals were received on December 6, 2013 and were reviewed and ranked on the following basis:

- Project Team Qualifications with a focus on a Project Manager capable of leading and delivering a utility extension project using directional drilling installation techniques;
- Demonstrated understanding and experience with the project and understanding of the critical success factors;
- Understanding the scope of work and roles and responsibilities of the Consultant;
- Collaboration skills and responsiveness demonstrated during the RFP submittal process; and
- Engineering Fees, indicating a detailed breakdown that is consistent with the Consultant’s written proposal.

The attached exhibit provides the Proposal Fee Summary as received by the responding consultants, together with staff adjustments needed to reconcile the requested work scope for the project. The Proposal Fees ranged from \$66,500 to \$71,560. Engineering Fees are subtotaled for each project phase including project management, plans and specifications, topographic survey, bidding, and construction support services including construction staking.

The city engineer is recommending a contract be awarded to TKDA, Inc. TKDA has assigned a qualified team appropriate for the level of work required for this project. In particular, TKDA has dedicated significantly more hours to the project for a senior level engineer experienced in directional drilling technology. TKDA also identified a thorough understanding of the work to be performed and they are aware of key issues related to the corridor. The engineering fees from all firms were relatively close and all proposed fees are below the project budget. Staff is recommending TKDA’s team for their senior level project experience with directional drilling combined with their existing knowledge of the corridor.

RECOMMENDATION:

Staff is recommending that the City Council award a Professional Engineering Design and Construction Support Services Contract for the Lake Elmo Avenue Trunk Watermain Improvements to TKDA, Inc. in the estimated not to exceed amount of \$66,500. The recommended motion for this action is as follows:

“Move to approve a Professional Engineering Design and Construction Support Services Contract for the Lake Elmo Avenue Trunk Watermain Improvements to TKDA, Inc. in the estimated not to exceed amount of \$66,500.”

ATTACHMENT(S):

1. Proposal Fee Summary Worksheet

CITY OF LAKE ELMO, MINNESOTA

LAKE ELMO AVE TRUNK WATERMAIN IMPROVEMENTS

PROJECT NO. 2013.133

DATE: DECEMBER 27, 2013

PROPOSAL FEE SUMMARY - AS RECEIVED						
Consulting Firm	Total Engineering	Project Management	P&S	Bidding	Construction	
Bolton & Menk, Inc.	\$71,560	\$5,400	\$50,090	\$1,050	\$15,020	
SEH, Inc.	\$78,469	\$7,400	\$45,833	\$3,043	\$22,193	
TKDA	\$65,000		\$40,500	\$3,200	\$21,300	
PROPOSAL FEE SUMMARY - STAFF ADJUSTED						
Consulting Firm	Total Engineering	Project Management	P&S	Bidding	Construction	Topo Survey
Bolton & Menk, Inc.	\$71,560	\$5,400	\$33,890	\$1,050	\$15,020	\$16,200
SEH, Inc.	\$82,519	\$7,400	\$31,440	\$3,043	\$26,243	\$14,393
TKDA	\$66,500	\$2,724	\$35,612	\$3,200	\$22,780	\$2,164



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
REGULAR
ITEM # 13

AGENDA ITEM: Friedrich Property Comprehensive Plan Amendment (RAD-ALT to RAD)

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick Johnson, City Planner

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECCOMENDER: The City Council has previously asked the Planning Commission for its recommendation concerning an amendment to the Lake Elmo Comprehensive Plan that would change the future land use designation of property located at 9434 Stillwater Boulevard North (the “Friedrich Property”) from RAD-ALT to RAD. In accordance with City Code and State Law, the City Council may only amend the Comprehensive Plan only after the Planning Commission has conducted a review of the proposed changes and after the Commission’s has conducted a public hearing concerning the amendment.

The Planning Commission considered the proposed amendment at its January 13, 2014 meeting and a summary of the Commission’s report and recommendation are included below.

FISCAL IMPACT: There are no direct fiscal impacts to the City associated with the proposed Comprehensive Plan Amendment. Staff has spent time preparing for the meeting and following proper hearing notification procedures. As a Council-initiated agenda item, the City will not receive any application fees to offset the hearing publication and mailing costs.

SUMMARY AND ACTION REQUESTED: At its December 3, 2013 meeting, the City Council directed the Planning Commission to conduct a public hearing to consider a Comprehensive Plan amendment that would revise the future land use map for property at 9434 Stillwater Boulevard North. Specifically the Council asked that the Planning Commission consider changing the future land use designation of this property from RAD-ALT (Rural Area Development Alternate Density) to RAD (Rural Area Development). The difference between these land use categories is that the RAD-ALT designation would allow residential densities on the site up to 2 units per acre while the RAD designation would limit this number to 0.45 units per acre.

The Planning Commission considered this matter at its January 13, 2014 meeting and recommended approval of the amendment to change the future land use designation for the subject property from RAD-ALT to RAD.

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

“Move to adopt Resolution No. 2014-09 amending the Comprehensive Plan to change the future land use designation of 9434 Stillwater Boulevard North from RAD-ALT to RAD.”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The attached Staff report to the Planning Commission includes general information regarding the subject property in addition to a summary of the planning and zoning issues pertaining to the site. Also attached for consideration by the Council is the Staff report concerning a request to change the future land use designation of this site that was prepared in early 2010. These two documents provide good synopsis of recent action taken by the City for this property, with relevant dates noted as follows:

Date	Action
3/22/10	Application for Comprehensive Plan, Zoning Text Amendment and PUD/OP Concept Plan accepted as complete by the City
6/1/10	City Council approval of Comprehensive Plan amendment for subject property (RAD to RAD-2)
7/20/10	City Council approval of OP/PUD Concept Plan for senior living/farm-based preschool development
7/19/11	Granting of one-year extension for preliminary plan submission
8/21/12	Granting of additional one-year extension for preliminary plan submission
3/14/13	Expiration of OP/PUD Concept Plan
1/21/14	City Council consideration of Comprehensive Plan amendment (RAD-ALT to RAD)

The Planning Commission considered the proposed Comprehensive Plan Amendment at its January 13, 2014 meeting and conducted a public hearing concerning the amendment at this time. The following individuals addressed the Commission during the course of the public hearing:

- Janice Green spoke to the Commission as the owner of the property. She explained that her father was strongly supportive of the farm school concept and that this project was intended to help preserve the agricultural buildings and activity on the site. She stated that the land owners are requesting that the land use designation remain RAD-ALT.
- Larry Weiss, 9302 Stillwater Boulevard North, explained that he was originally in support of the proposed development on this site, but that he changed his mind when the density increased. He asked that that land use designation be changed back to RAD.
- Ed Nielson, 9498 Stillwater Boulevard North, expressed concern over the information that was presented about the senior living and farm school project when it was initially proposed. He explained that senior living projects are typically located along larger roads. He commented that 98% of the surrounding neighbors are opposed to the previous development proposal.
- Stewart Helgeson, 11150 12th Street North, stated that it would not make sense to change the land use plan back to RAD because the City may need to make yet another change if an acceptable project were to come forward.

The Planning Commission generally discussed the City's long range plans for rural areas and the OP zoning regulations that would apply to this site. Commissioners supported the findings for approval of the amendment as drafted by Staff, and recommended five additional findings to support its recommendation to the City Council. The Commission further noted that the City is still operating under older population and household forecast numbers that will be valid until the updated regional forecast is finalized by the Met Council.

The Planning Commission adopted a motion to recommend approval of the Comprehensive Plan Amendment to change the future land use designation of 9434 Stillwater Boulevard North from RAD-ALT to RAD consistent with the findings as noted in the attached Resolution No. 2014-109. The vote on the motion unanimous at 7-0.

BACKGROUND INFORMATION (SWOT):

- | | |
|-------------------|---|
| Strengths | <ul style="list-style-type: none">• The proposed amendment provides clarity for the City and neighbors regarding the maximum amount of development for the site.• The Commission noted that the amendment would alleviate a potential "spot zoning" situation in this area. |
| Weaknesses | <ul style="list-style-type: none">• An amendment would prohibit a unique development from moving forward that would combine senior living, a preschool, and agricultural activities on the site.• Any new application for multi-family living and/or a farm-based preschool on the site could only move forward with another Comprehensive Plan amendment. |

- Opportunities**
- Future development proposals could be approved by the City that are consistent with the OP zoning regulations.
 - The property owner/developer may still pursue a Comprehensive Plan amendment as part of a future development proposal.
 - The City will be able to further evaluate the used and densities allowed in rural development areas once the regional forecast has been finalized.
- Threats**
- The City is still operating under the forecasts approved under the MOU and 2013 Land Use Plan (additional density in rural development would be needed to reach these forecast numbers).

RECOMMENDATION: The Planning Commission is recommending that the City Council approve the amendment to change the future land use designation for the subject property from RAD-ALT to RAD. The suggested motion to adopt the Planning Commission recommendation is as follows:

“Move to adopt Resolution No. 2014-09 amending the Comprehensive Plan to change the future land use designation of 9434 Stillwater Boulevard North from RAD-ALT to RAD.”

Please note that this action requires a 4/5ths majority vote of the City Council. If there are fewer than four votes to approve the resolution amending the Comprehensive Plan, the future land use designation for the subject will not be changed.

ATTACHMENTS:

1. Resolution No. 2014-09
2. Planning Commission Staff Report – 1/13/14
3. Location Map
4. Proposed Map Amendment
5. Staff Report to City Council Dated 5/4/10
6. Planning Commission Meeting Minutes – 1/13/14

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

RESOLUTION NO. 2014-09

*RESOLUTION APPROVING AN AMENDMENT TO THE CITY OF LAKE ELMO
COMPREHENSIVE PLAN*

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

WHEREAS, The City Council of the City of Lake Elmo (“City”) has directed the Lake Elmo Planning Commission to consider an amendment the Lake Elmo Comprehensive Plan that would change the future land use designation of property located at 9434 Stillwater Boulevard North from RAD-ALT to RAD, a description of which is on file in the Community Development Department; and

WHEREAS, the City previously amended the Comprehensive Plan for the subject property on June 1, 2010 to allow for an increase in density on the site in conjunction with a proposed development that is no longer valid; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on January 13, 2014 to consider said Comprehensive Plan amendment; and

WHEREAS, on January 13, 2014 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve said Comprehensive Plan amendment; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan at a meeting on January 21, 2014; and.

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the Planning Commission has reviewed said Comprehensive Plan Amendment in accordance with the procedures as established by the Lake Elmo Planning Department and Lake Elmo Planning Commission.

- 2) That the Planning Commission conducted a public hearing on January 13, 2014 consistent with these procedures.
- 3) That the proposed amendment is to is to revise the Future Land Use Map (Map 3-3 in Chapter III – *Land Use Plan*) in the Lake Elmo Comprehensive Plan, and to specifically change the future land use designation a parcel of land commonly known as 9434 Stillwater Boulevard North (PID 15.029.21.31.0001) from RAD-ALT Rural Area Development Alternate Density to RAD Rural Area Development.
- 4) That the Comprehensive Plan Amendment will apply to property legally described in the attached Exhibit “A”.
- 5) That there have been no changes in circumstances since the Land Use Section of the Comprehensive Plan was updated in 2006 that warrant revisions to increase or transfer density to the subject site.
- 6) That higher density residential development is encouraged in areas that will be served by public sanitary sewer where the provision of these services is more cost-effective and where the City will receive credit towards the REC unit counts mandated under its Memorandum of Understanding with the Metropolitan Council.
- 7) That the Housing Chapter of the Comprehensive Plan specifically states that any future senior-specific housing in Lake Elmo will be best accommodated within the Old Village Area due to proximity to goods, services, and public facilities.
- 8) That the subject site does not demonstrate any characteristics that are substantially different from other areas guided for RAD development in the City of Lake Elmo or that would indicate that higher density development is more appropriate in this area than any other site within the City.
- 9) That the City is has recently adopted major Comprehensive Plan amendment related to development in the Old Village Area and the I-94 corridor. Given the current market conditions, the City encourages higher density development in areas that would help off-set the significant infrastructure costs required to serve these areas.
- 10) That higher density housing is not consistent with the City’s stated goals to preserve and enhance its rural character, especially when planned in areas that are guided for Rural Agricultural Density.
- 11) That build-out of existing empty lots in platted and developed OP developments is encouraged over the creation of new development and service areas in the community
- 12) That new access that would be needed to support development on the subject site does not conform to the City’s Transportation Plan that encourages limited access to major collector roads and is inconsistent with the City’s access spacing guidelines.

- 13) That the 2010 Comprehensive Plan Amendment was designed to accommodate a specific development proposal which no longer exists.
- 14) That recent Met Council projections of population and household growth indicate less overall population growth than was expected in 2010.
- 15) That the support of local neighbors for the 2010 development proposal was based on a misunderstanding of the details of the proposal. The 2010 Planning Commission recommendation was significantly driven by the support of neighbors, which support no longer exists.
- 16) That the Planning Commission and City Council have become more educated and experienced in considering higher density development. Such development should not be considered for land not guided for sewer before 2030.
- 17) That the 2010 action could be considered spot zoning based on later information and training received by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that based on the foregoing, the Lake Elmo City Council hereby approves the Comprehensive Plan amendment, subject to and contingent upon the following:

- 1) Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that its review has been completed and approved.

Passed and duly adopted this 21st day of January 2104 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

Exhibit "A"

PT OF SW1/4 OF SD SEC 15 LYING NLY OF NLY R/W OF RR DESC AS FOLL: COM AT NELY COR SD SW1/4 THN S00DEG51'44"E BRG ORIENTED TO WACO SYS ALG ELY LN SD SW1/4 DIST 1067.20FT THN S89DEG13'16"W DIST 289.50FT THN S48DEG14'16"W ALG A LN HERINAFTER REFERRED AS LN "A" DIST 36.58FT TO PT HERINAFTER REFERRED AS PT "C" THN S05DEG16'16"W ALG A LN HERINAFTER REFERRED AS LN "B" DIST 194.90FT M/L TO PT OF INTER WITH NLY R/W LN OF HWY 5 AKA STILLWATER BLVD N SD PT OF INTER BEING THE POB THN N05DEG16'16"E ALG SD LN "B" DIST 194.90FT M/L TO BEFORE DESC PT "C" THN N48DEG14'16"E ALG SD LN "A" DIST 35.69FT M/L TO INTER WITH SLY LN OF N 1067.20FT OF SD SW1/4 THN S89DEG06'21"W ALG SD SLY LN DIST 24.33FT M/L TO WLY LN OF E 314.50FT OF SD SW1/4 THN N00DEG51'44"W ALG SD WLY LN DIST 1067.20FT M/L TO NLY LN OF SD SW1/4 THN S89DEG06'21"W ALG SD NLY LN DIST 995.27FT M/L TO ELY LN OF W 1312.FT OF SD SW1/4 THN S00DEG41'24"E ALG SD ELY LN DIST 460.FT M/L TO SLY LN OF N 460.FT OF SD SW1/4 THN S89DEG06'21"W ALG SD SLY LN DIST 404.01FT M/L TO DESC ELY LN OF FRIEDRICH HGTS PLAT THN S00DEG41'24"E ALG SD ELY LN DIST 141.48FT THN S80DEG54'36"W ALG SLY LN SD PLAT DIST 59.61FT THN S00DEG41'24"E ALG SD ELY LN SD PLAT DIST 66.FT THN N80DEG54'36"E ALG SD NLY LN SD PLAT DIST 164.77FT THN S00DEG41'24"E ALG SD ELY LN SD PLAT DIST 5.07FT M/L TO INTER WITH LN DRAWN PARL WITH SD NLY LN OF SW1/4 & EXT WLY FROM IPM ON WLY LN OF E1/2 SD SW1/4 SD WLY LN HAVING BRG OF S00DEG46'34"E SD IPM DIST 657.56FT SLY FROM NWLY COR OF SD E1/2-SW1/4 THN N89DEG06'21"E ALG SD PARL LN DIST 299.85FT M/L TO SD IPM THN N89DEG24'43"E ALG NLY LN TRACT DESC IN DOC #714370 & ALG NLY LN OF PARCEL DESC IN DOC #3408380 DIST 309.19FT M/L TO IPM AT THE NELY COR THEREOF THN S01DEG00'08"E ALG ELY LN SD PARCEL DESC IN DOC #3408380 DIST 386.67FT M/L TO INTER WITH A LN HERINAFTER REFERRED AS LN "C" DRAWN AT RT ANG & ELY FROM A PT IN SD WLY LN OF E1/2-SW1/4 SD PT BEING HERINAFTER REFERRED AS PT "A" SD PT ALSO DIST 118.20FT NLY AS MEAS ALG SD WLY LN OF E1



PLANNING COMMISSION
DATE: 1/13/14
AGENDA ITEM: 5A – PUBLIC HEARING
CASE # 2014-01

ITEM: Friedrich Property Comprehensive Plan Amendment

SUBMITTED BY: Kyle Klatt, Community Development Director

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED:

The Planning Commission has been directed by the City Council to conduct a public hearing to consider a Comprehensive Plan Amendment that would revise the future land use map for property at 9434 Stillwater Boulevard North. The Council has specifically asked that the Planning Commission consider changing the future land use designation of this property from RAD-ALT (Rural Area Development Alternate Density) to RAD (Rural Area Development). The primary difference between these two land use categories is that the RAD-ALT designation would allow residential densities on the site of up to 2.0 units per acre while the RAD designation would limit this number to 0.45 units per acre.

Because the Planning Commission has spent a significant amount of time over the last two months reviewing and discussing the City's rural development areas in a fair amount of detail, Staff will be providing a more basic summary of the City's past action on this property within the present report and will ask that the Commission refer to the previous meeting packets for additional information concerning the history and current issues associated with the rural development areas in the community.

GENERAL INFORMATION

Applicant: City Council initiated action

Property Owners: Irvin Friedrich, 9434 Stillwater Boulevard North

Location: 9434 Stillwater Boulevard North (part of Section 15 Township 029 Range 021).
PID Number 15.029.21.31.0001

Request: Comprehensive Plan Amendment to change the future land use designation of the subject property from RAD-ALT to RAD

Existing Land Use: Single Family Residential/Agricultural/Agricultural Outbuildings

Existing Zoning: RR – Rural Residential

Surrounding Land Use: Single Family Residential, Agricultural, Park

Surrounding Zoning: RS – Rural Single Family; RR – Rural Residential; A – Agriculture

Comprehensive Plan: RAD-ALT (Rural Agricultural Density Alternate Density); 2.0 units per acre

Proposed Comp Plan: RAD (Rural Agricultural Density); 0.45 units per acre

History: The subject property has been used as an agricultural farmstead for decades. The future land use designation for the property was changed in 2010 in response to a request for a senior living/farm school development proposal that has since been rendered void due to the passing of City submittal deadlines for further review. There are no active development proposals pending on the property. Upon receipt of a Planning Commission recommendation to establish a moratorium on all RAD-ALT properties, the City Council did not adopt such a moratorium and instead directed the Commission to consider a land use change to the subject property.

Deadline for Action: None

Applicable Regulations: Comprehensive Plan – Chapter III: Land Use Plan
Zoning Ordinance – Article 9: Rural District Standards
Section 154.067 – OP2 Zoning Regulations

REQUEST DETAILS

The Planning Commission has devoted time at two of its recent meetings to discuss the City's rural development areas, and has asked that these conversations continue as part of the Commission's work plan for 2014. The Commission will specifically be looking at potential changes to the Comprehensive Plan that will study the following issues:

- Potential population and household forecast reductions associated with the Met Council's revised 2040 regional forecasts.
- Elimination of the RAD-ALT future land use category.
- Amendments to the rural development areas that will allow for additional development opportunities on parcels less than 40 acres in size.
- Consideration of the benefits and drawbacks of allowing additional development in rural areas in terms of public service costs, impacts on rural character, and other factors.

In anticipation of potential changes to the City's Comprehensive Plan related to the above discussions, the Planning Commission recommended that the City Council adopt a moratorium on all RAD-ALT development for a period of nine months. This time period was chosen to allow time for the 2040 Regional Forecast (and related projections for cities within the metro area) to be finalized before the City made any long-term decisions concerning the population and household numbers used in the land use plan. The City Council ultimately did not support the recommended moratorium concerning RAD-ALT development, but did ask the Planning Commission to consider a more immediate change on one of the City's properties that is guided in this manner.

The specific request from the City Council was that the Commission consider a Comprehensive Plan Amendment to change the future land use designation of the property at 9434 Stillwater Boulevard North from RAD-ALT to RAD. The Council's rationale for choosing only this parcel for a change includes the following:

- The City created the RAD-ALT (which was initially called RAD-2) land use category as part of the 2005 Comprehensive Plan amendment after an extensive study and review of the City's obligations under the Memorandum of Understanding between the City and Met Council.

- Based on an analysis of these obligations, it was decided that the City would need to increase densities in the rural development areas in order to achieve the household and population requirements by 2030.
- The sites chosen for the increased density (RAD-2 land use classification) were selected for specific reasons, including proximately to sewer development, isolation from other rural parcels, and locations along municipal boundaries or adjacent sewer communities.
- The land use designation for the subject parcel at 9434 Stillwater Boulevard was changed based on a specific development proposal that has not materialized and is no longer valid.

Under state statutes, the City Council cannot take action to amend the Comprehensive Plan without a recommendation from the Planning Commission and until after a public hearing has been conducted as part of the Commission's review. The Commission is therefore being asked to conduct this public hearing at its next meeting to gather additional feedback on this matter and to make a formal recommendation to the City Council concerning the appropriate land use designation for the subject property.

BACKGROUND/PLANNING AND ZONING ISSUES

The City received a land use application from Tammy Malmquist, 8549 Ironwood Trail in the spring of 2010 to change the future land use designation of the Friedrich property at 9434 Stillwater Boulevard North from RAD to RAD-2 (which is the same as the current RAD-ALT land use category). This application was made in order to allow a concurrent request for a senior living, townhouse, and farm-based preschool Planned Unit Development project to move forward. The applicant further requested an amendment to the City's zoning regulation in order to create new OP-2 Open Space Preservation Zoning regulations that was also drafted in order support the proposed development.

In the period of time since the Comprehensive Plan amendment for the subject property was approved, the project applicant has not submitted a preliminary development plan and the timeframe for submitting such a plan has expired. There is therefore no pending application moving forward on this property, and any previous or new request for development would need to go back through a concept plan review (with a new application, hearing, etc.).

In order to aid the Planning Commission's deliberation on the current Comprehensive Plan Amendment under review, Staff has attached the previous Staff Report that was prepared for the City Council when the 2010 request was initially reviewed by the City. Although over three years has passed since this review was conducted by the City, the information specific to the Comprehensive Plan and the applicant's site is still relevant and should be useful for the Planning Commission to consider with the present request. Please note the following important points from this report:

- The City split up its review of the Comprehensive Plan Amendment and project development (PUD) applications and dealt with these matters at separate meetings.
- Planning Staff recommended denial of the Comprehensive Plan Amendment for reasons that are spelled out in greater detail in the report.
- The Planning Commission unanimously (all nine members at the time) recommended approval of the request to the City Council.
- The City Council, after several meetings and a workshop session, voted 4-1 to approve the Comprehensive Plan amendment.

Since 2010, the City has adopted two major amendments to the Comprehensive Plan and adopted a new future land use map for the entire community. There were no changes made, however, to any of the land uses outside of the Village Planning Area and I-94 Corridor Planning Area with the exception of minor corrections and adjustments to fit the new map.

REVIEW AND ANALYSIS

Because this matter is being directed to the Planning Commission from the City Council, Staff will not be presenting a formal recommendation to the Commission other than to review the findings that have been previously proposed or adopted. The Commission should consider its recent discussions concerning rural area development as part of its review, and Staff would be happy to make any of these past reports available to individual Commissioners (these reports are also available on the City's website).

Staff would like to suggest the following parameters as the Commission deliberates on the present request:

1. The Planning Commission has been asked to consider a specific Comprehensive Plan Amendment for a specific property in the community.
2. A public hearing notice has been mailed to all properties within 350 feet of the subject parcel and this hearing has been scheduled for January 13, 2014.
3. Comments and discussion concerning a specific development are not appropriate and are irrelevant to the Council's specific request.
4. Discussion and comments concerning general land uses are appropriate, especially those that relate to uses and densities allowed under the RAD-ALT land use designation.
5. The zoning that correlates to the RAD-ALT category (OP-2 zoning regulations) allows senior living multi-family buildings, townhouses, and single family residential structures at a density of up to 2 dwelling units per acre. The RAD category and corresponding OP zoning allow single family homes and a very limited number of townhouses at a density of 0.45 units per acre (18 houses per 40 acres).
6. The Council is seeking public feedback on the proposed change and will be considering this feedback along with the Planning Commission's recommendation prior to taking action on the proposed amendment.

Using the previous staff recommendation and City Council action as a guide, the Planning Commission should consider the following potential findings as the basis for a recommendation to the City Council. All of these findings are based on the information that was presented or drafted during the 2010 City reviews:

Findings that Support No Change to the Comprehensive Plan (Leave Subject Property as RAD):

- 1) The current use of this site as a working farm is unique compared to other properties designated for RAD development in the Comprehensive Plan.
- 2) The proposed amendment will help provide opportunities for senior housing within the community.
- 3) Recent subdivisions in areas guided for RAD development have been approved at a density below the unit levels anticipated in the Comprehensive Plan. The proposed density increase will be offset by reductions that have previously been approved or acknowledged by the City.

- 4) The subject site is located in close proximity to public transportation along State Highway 5, and specifically, a bus route that could provide alternate transportation options for a residential development.
- 5) The applicant's site is located immediately adjacent to existing R-1 Single Family Residential zoning districts along its southern, eastern, and western boundaries. Other areas guided for RAD development are primarily surrounded by rural residential, agricultural, or public open space uses.

Findings that Support a Comprehensive Plan Amendment (Change Subject Property from RAD-ALT to RAD):

- 1) There have been no changes in circumstances since the Land Use Section of the Comprehensive Plan was updated in 2006 that warrant revisions to increase or transfer density to the subject site.
- 2) Higher density residential development is encouraged in areas that will be served by public sanitary sewer where the provision of these services is more cost-effective and where the City will receive credit towards the REC unit counts mandated under its Memorandum of Understanding with the Metropolitan Council.
- 3) The Housing Chapter of the Comprehensive Plan specifically states that any future senior-specific housing in Lake Elmo will be best accommodated within the Old Village Area due to proximity to goods, services, and public facilities.
- 4) The subject site does not demonstrate any characteristics that are substantially different from other areas guided for RAD development in the City of Lake Elmo or that would indicate that higher density development is more appropriate in this area than any other site within the City.
- 5) The City has recently adopted major Comprehensive Plan amendment related to development in the Old Village Area and the I-94 corridor. Given the current market conditions, the City encourages higher density development in areas that would help off-set the significant infrastructure costs required to serve these areas.
- 6) Higher density housing is not consistent with the City's stated goals to preserve and enhance its rural character, especially when planned in areas that are guided for Rural Agricultural Density.
- 7) Build-out of existing empty lots in platted and developed OP developments is encouraged over the creation of new development and service areas in the community
- 8) New access that would be needed to support development on the subject site does not conform to the City's Transportation Plan that encourages limited access to major collector roads and is inconsistent with the City's access spacing guidelines.

DRAFT FINDINGS

Please refer to the comments in the previous section.

RECCOMENDATION:

Staff is recommending that the Planning Commission review the materials present above, attached to this report, and previously considered by the Commission during its deliberations regarding the City’s rural development areas and make a recommendation to the City Council to either:

- a) approve an amendment to the Lake Elmo Comprehensive Plan to change the future land use designation of property at 9434 Stillwater Boulevard North from RAD-ALT to RAD based on the “Findings that Support a Comprehensive Plan Amendment” as presented above or as otherwise modified by the Planning Commission; or
- b) make no changes to the Lake Elmo Comprehensive Plan based on the “Findings that Support No Change to the Comprehensive Plan” as presented above or as otherwise modified by the Planning Commission.

ATTACHMENTS:

- 1. Staff Report – 5/4/10 City Council Meeting
- 2. Location Map
- 3. Proposed Map Amendment

ORDER OF BUSINESS:

- Introduction Community Development Director
- Report by Staff Community Development Director
- Questions from the Commission Chair & Commission Members
- Public Hearing Comments..... Chair
- Discussion by the Commission Chair & Commission Members
- Action by the Commission Chair & Commission Members



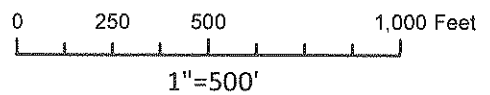
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

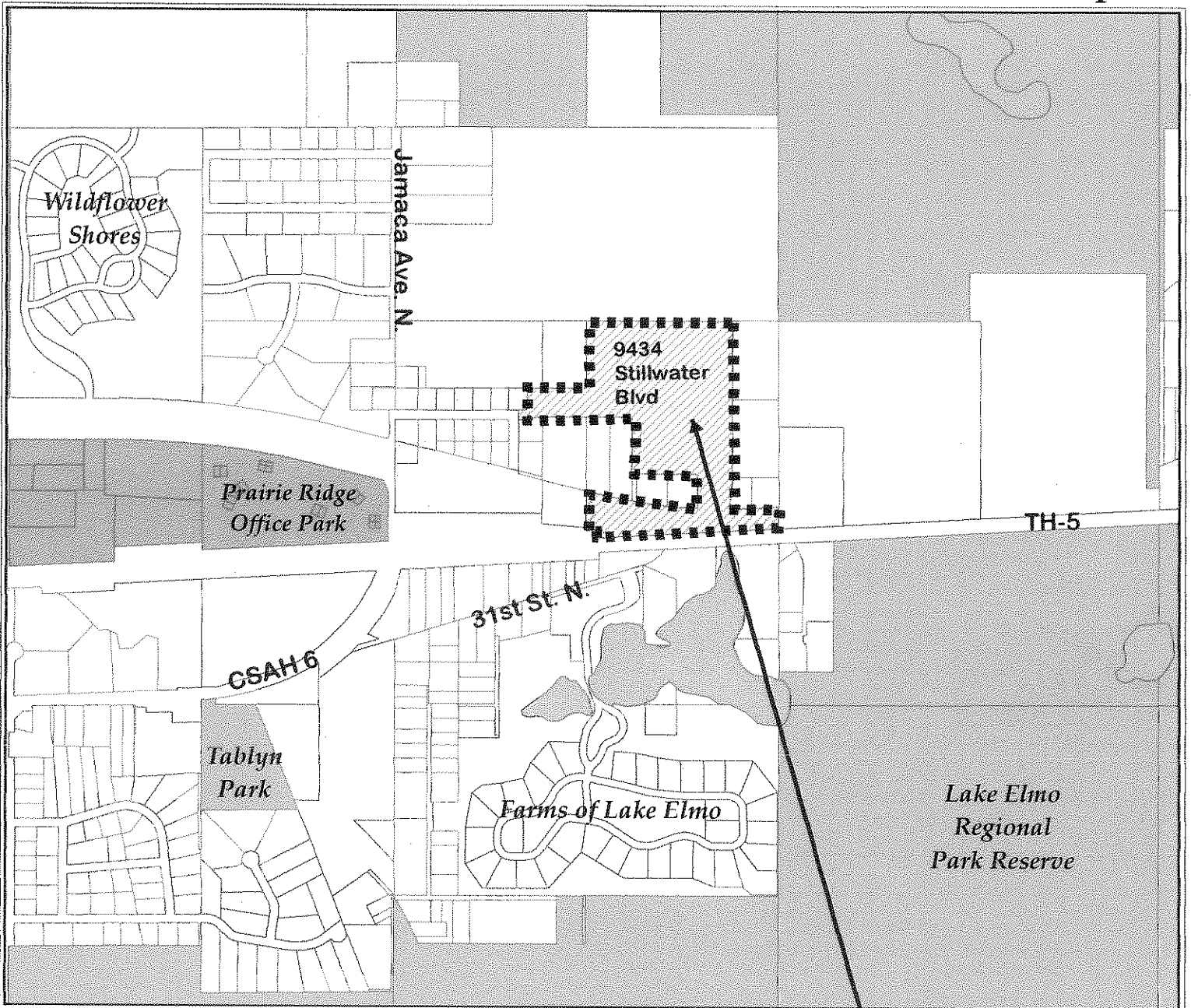
Location Map: 9434 Stillwater Blvd. N.



Data Source: Washington County, MN
1-10-2014

9434 Stillwater Blvd. N.





Proposed Amendment: RAD-Alt to RAD

Planned Land Uses

- | | |
|------------------------------|----------------------------|
| Business Park | Urban Medium Density |
| Commercial | Urban High Density |
| Limited Business | Rural Single Family |
| Village Mixed Use | Residential Estate |
| Village Urban Low Density | Rural Area Development |
| Village Urban Medium Density | Rural Area Development Alt |
| Urban Low Density | Public/Park |



Sources: Washington County & Metro GIS
1-10-2014

Planned Land Use
Proposed CPA: 9434 Stillwater Blvd. N.
Lake Elmo Comprehensive Plan 2030



City of Lake Elmo Planning Department
Comprehensive Plan and Zoning Text Amendment

To: **City Council**

From: Kyle Klatt, Planning Director

Meeting Date: **5/4/10**

Applicant: **Tammy Malmquist**

Owner: Tammy Malmquist; Marlene Friedrich

Location: **9434 Stillwater Blvd N**

Zoning: RR – Rural Residential

Introductory Information

***Application
Summary:***

The City of Lake Elmo has received an application from Tammy Malmquist, 8549 Ironwood Trail North, for a Comprehensive Plan Amendment, Zoning Text Amendment, Open Space Preservation (OP) Development Concept Plan, and Planned Unit Development (PUD) Concept Plan. The individual elements of this request have been made to allow the establishment of a 40-unit senior living multi-family building, 10 townhouse units, and a farm-themed preschool on a 30.9 acres parcel at 9434 Stillwater Boulevard North. The request would incorporate the existing family care facility that is located adjacent to this property at 9442 Stillwater Boulevard North. As the current owner of the 30.9-acre parcel, Marlene Friedrich has signed as a co-applicant to this request.

Given the complex nature of this application, Staff has recommended that the City review focus first on the Comprehensive Plan and Zoning amendments before proceeding with a discussion of the OP Development and PUD Concept Plans. To facilitate this two-tiered review, separate public hearings and agenda items have been scheduled at different times with the Planning Commission as follows:

- April 26: Comprehensive Plan and Zoning Text Amendments
- May 10: OP Development and PUD Concept Plans

The primary reason for the staged review is to take the bigger picture items first, and then advance with the detailed plan reviews if warranted. This process will save time and effort if there is no support by the City Council to move forward with the Comprehensive Plan and Rezoning. If these elements of the application are approved, it would allow the required Met Council review to proceed while the City is considering the development Concept Plans.

The Planning Commission reviewed and conducted a public hearing on both the Comprehensive Plan and Zoning Text Amendments, and made a recommendation to the City Council on the first issue at its meeting on April 26th. The Commission tabled its discussion on the latter issue and directed staff to prepare an alternate ordinance to consider in addition to the amendments requested by the applicant. The ordinance will be brought back before the Planning Commission at its next meeting, prior to discussion on the OP Development and PUD Concept Plans.

**Application
Details:**

As noted above, there are four distinct components of the applicants request, which include the following:

Comprehensive Plan Amendment. The proposed amendment would change the future land use designation of the parcel located at 9434 Stillwater Boulevard North from RAD (Rural Agricultural Density – 0.45 dwelling units per acre) to RAD2 (Rural Agricultural Density – 2 dwelling units per acre). This change is necessary to move forward with the proposed development because the current designation as RAD would limit the overall number of units on the site to 14 units and the project that has been requested is for 51 units (1.7 units per acre), in addition to the existing single family residential site and proposed farm school. The applicant has proposed shifting density from an area guided for RAD2 west of the applicant’s property to this site in order to avoid any impacts to the overall population projections in the Comprehensive Plan.

Zoning Text Amendments. The applicant has requested an amendment to the OP Open Space Preservation Ordinance to add requirements for development in areas that are guided RAD2, and more specifically, to amend the OP District to allow for the proposed multi-family senior living facility and farm-based preschool. The current OP Ordinance does not contain any provisions that would allow residential development to exceed a density of 0.45 units per acre (or 18 units per 40 acres), and although one section ties the maximum allowed density to the Comprehensive Plan, another section very specifically limits densities in OP developments to 18 units per 40 gross acres of buildable land. The other proposed amendments to this section include the following:

- Adding Multi-Family Senior Housing buildings (only in areas guided for RAD2) and Farm Schools for preschool and school-aged children to the list of allowable uses in an OP development.
- Reducing the minimum land area for an OP development from 40 to 20 acres in areas guided RAD2.
- Reducing the amount of contiguous land required in open areas from 10 to 5 acres for land guided RAD2.
- Reducing the required buffer setback in areas guided RAD2 to 50 feet from 200 feet.
- Adding standards for Senior Housing Buildings in the OP minimum district

requirements table.

OP – Open Space Preservation (OP) Development Concept Plan. The ultimate objective of the Comprehensive Plan and Zoning Text Amendments described above is to allow the development of a 40-unit senior housing building, 10-unit townhouse development, and farm-based preschool on a 30.9-acre property located at 9434 Stillwater Boulevard North. Should the City adopt the requested OP District changes, the applicant would be able to submit a request for the proposed development in accordance with the requirements for new OP Open Space Preservation projects. The first step in this process is the submission of a concept plan for review, and all plans and information required as part of this submission have been included as part of the overall application. A few of the details of this proposal include the following:

- The Wunder Years day care would remain in its current location, and would be updated along with the existing house at 9434 Stillwater Boulevard North to match the proposed townhouses.
- A community septic system is planned to serve the development.
- One access is planned off Stillwater Boulevard to serve the project area in the general location now used for access to the existing home and daycare.
- 50% of the project site area would be set aside as permanent open space in accordance with the OP district requirements.
- An open green area is planned within the center of the development area and a common architectural theme is planned throughout the development area consistent with the past agricultural use of the property.

A more detailed description and complete staff review of the proposed OP Development Concept Plan will be provided at the next Planning Commission meeting when this aspect of the request is considered. This request may only proceed if the Comprehensive Plan and Zoning amendments are approved by the City Council.

Planned Unit Development (PUD) – Concept Plan. In addition to the OP Development concept plan submission, the application also includes a request for a Planned Unit Development concept plan. A PUD is necessary to move forward with the applicant's request since the project includes a mix of uses and activities that would otherwise not be possible under current zoning regulations. The PUD portion of the request will be considered by the City in conjunction with the review schedule for the OP Development concept plan. The pending staff review will group the concept plans together for the purpose of providing an analysis of the request in a future report.

**Property
Information:**

The applicant's property is located near the intersection of Jamaca Avenue North and Stillwater Boulevard North (Highway 5). The current uses consist of the original Friederich family farmstead and related outbuildings and the Wunder Years day care

facility. Other than the agricultural fields, each of these uses would be considered a permitted residential and/or agricultural use of the property. The 30.9 acre farmstead is zoned RR – Rural Residential while the day care site is zoned R-1 Single Family Residential and is 29,670 square feet (0.68 acres) in size. Each property currently has its own access to Stillwater Boulevard via two driveways that are approximately 25 feet apart.

Other notable features of the farm property include a larger wooded area in the northeast portion of the site (referred to as the “Oak Savanna” on the concept plans) and gently rolling topography throughout the proposed project area. The 30.9-acre parcel extends westward to Jamaca Court North, and connects to this street via a narrow connection point between two existing homes. The surrounding property uses include single family homes zoned R-1 to the south and east along Stillwater Boulevard, and agricultural uses located to the north and east that are zoned A – Agriculture and RR – Rural Residential. The Washington County Landfill and Sunfish Lake Park is located further to the north and northwest for the latter.

Applicable Codes:

Section 150.175 through 150.189 OP Open Space Preservation

Describes the process and requirements associated with an OP Open Space Preservation development. The applicant has requested an amendment to this section of the City Code in order to allow a multi-family senior living building and farm-based preschool as part of an OP development.

Section 154.020 Amendments

Outlines the process and requirements for requesting an amendment to the Zoning Ordinance. Of particular interest, please note Subsection (J) which reads: “Conformance with Comprehensive Plan. In granting or recommending any rezoning or other permit provided for in this chapter, the Zoning Administrator, the Planning Commission, or Council shall find that the proposed development conforms substantially to the policies, goals, and standards of the Comprehensive Plan.”

Section 154.036 RR – Rural Residential

Outlines the general requirements for the RR Rural Residential Zoning District in Lake Elmo.

Section 154.070 through 154.075. Planned Unit Development

Describes the process and requirements for submitting an application for a Planned Unit Development.

Findings & General Site Overview

Site Data:

Lot Sizes: 30.9 acres and 0.68 acres

Existing Uses: Single Family Residences/Agricultural/Agricultural Outbuildings

Existing Zoning: RR – Rural Residential and R-1 Single Family Residential
Future Land Use: RAD – Rural Agricultural Density and Neighborhood Conservation
Property Identification Numbers (PID): 15-029-21-31-0001 and 15-029-21-31-0003

Comprehensive Plan and Zoning Text Amendment Review:

***Comp Plan
 Analysis
 Staff
 Comments:***

Of all the land use requests that are considered by a Planning Commission, a City has the most discretion to approve or deny proposals to amend the Comprehensive Plan. For communities within the Twin Cities metropolitan area, this discretion is limited somewhat by the Metropolitan Council, which requires cities to update their plans every ten years and has the authority to review all requests to amend an approved Comprehensive Plan. In this case, if the City decides to move forward with the proposed amendment, the proposed change will need to be reviewed by the Metropolitan Council before it can be officially adopted by the City. The update must also be submitted to adjacent communities for review and comment before the Met Council will take action on the proposal, and once accepted, there is a 60 day review period that can be extended an additional 60 days if needed.

In general, Cities may consider an amendment to a Comprehensive Plan for several reasons. Below are some specific examples as listed in the Met Council’s Local Planning Handbook:

- Changes resulting from interim planning activities such as master plans, redevelopment plans or annexation
- A need to change a land use designation to allow a proposed development.
- Routine update of a public facilities element, such as a parks plan
- A text amendment to revise a land use category, policy or other description
- A routine update to incorporate new information such as census figures

The applicant’s request clearly falls under the category of a land use designation change to allow a proposed development; however, there is much more to the Comprehensive Plan than just the simple designation of future land uses on a map. In Lake Elmo’s situation, the City’s Comprehensive Plan includes many other sections devoted to housing, provision of water service, transportation, and other elements that form a unified set of goals and objectives for the City. Any proposed land use changes should remain consistent with the other policies within the Comprehensive Plan or may otherwise need to be considered in the context of a larger update to the plan.

In order to support an amendment to a Comprehensive Plan, planners will typically try to identify circumstances that may have changed since the plan was last updated to support a change in the future land use designation or other components of a plan. For instance, market conditions may have led to assumptions concerning the rate of growth that are incorrect or a transportation improvement may have opened up new areas for development that were otherwise inaccessible. In Lake Elmo’s case, certain sections of the plan will be updated this year, while the land use section was last

updated in 2006. It is staff's opinion that, if anything, conditions have changed during this period of time in a manner that is not conducive to the request being considered by the Planning Commission. Specifically:

- The economic downturn has led to a very slow rate of build out in the more recent OP developments. It is in the best interest of the City and each affected neighborhood to encourage new building to take place on lots that are currently vacant and served with water, roads, sewer, and other services and not in new areas with no or limited existing services.
- The City is lagging well behind the development phasing planned for urban service areas (with no growth in these areas to date) while OP development have only in the past few years begun experiencing the severe downturn in building activity. A multi-family project is more typical of the type of development planned for the urban service areas.
- The City's Comprehensive Plan and the Memorandum of Understanding between Lake Elmo and the Met Council includes provisions that will allow the Council to assess penalties against the City for failure to reach target population figures in sewer residential areas. Given the potential for penalties associated with a slow rate of build-out, larger projects should be directed to the urban service areas where they would help meet the development milestones in the Plan.
- Although it appears that the overall pattern of development in areas guided for RAD density in the Comprehensive Plan will result in a lower overall population living in these areas than previously estimated, the overall impacts to the City's infrastructure and planning policies will be much lower if the current trend is followed than by increasing the allowed densities by over four times the amounts projected in some of these areas. On the applicant's site, the current zoning would permit a density of three dwelling units (or up to 14 units if combined with adjacent parcels) verses the 51 units that have been requested.
- The re-allocation of densities throughout areas guided for RAD and RAD2 should be considered within the larger context of where these densities may best be integrated with surrounding land uses and where they can best be provided with public services (even if these services are somewhat limited in OP developments). There has been no substantial change since the land use plan was updated to indicate why the applicant's site would be better-suited for additional density verses the areas currently guided RAD2.

Other general comments from Staff:

- The applicant has proposed to re-allocate densities from an existing RAD2 property in order to permit the proposed 50-unit project without increasing the overall population projections for the City. In order to keep the overall population projections level for the City, this would reduce the density of an existing RAD2 areas to accommodate this change. There are currently around

140 total acres guided RAD2 which could theoretically accommodate up to 280 new housing units. If the proposed Comprehensive Plan amendment is approved, a net transfer of 37 units in excess of the current OP standards would be required (14 allow at .45 units per acre compared to 51 requested units). This transfer would reduce the overall density on the 140 acre sites to approximately 1.75 units per acre (or less if borrowed from just one property).

- There has been no discussions with the current property owner of the 103 acre parcels that are guided RAD2 to the west of the applicant's site that the overall density on this site may change (or any of the RAD2 guided property owners).
- Although the land use description for RAD2 notes that "limited life cycle housing" would be appropriate in these areas, there are no other references to such housing in RAD or RAD2 guided land. In fact, the housing section of the current plan states very specifically that "Any future senior-specific housing in Lake Elmo will be best accommodated within the Old Village Area due to proximity to goods, services, and public facilities. The combination of senior housing needs and village scale housing density may result in attached housing of some description".
- The Comprehensive Plan calls for the City to make some fairly substantial investments in public sanitary sewer services, and Staff recommends that any developments that exceed the base densities allowed in rural areas be directed to the urban service areas where such developments can help support the provision of these services.
- The applicant's plan would place additional traffic directly on to Stillwater Boulevard at a new intersection that is not consistent with the recently-prepared Transportation Plan. The Plan specifically encourages the use of collector streets and limiting access to major roads. The proposed project also does not comply with MnDOT's or the City's access spacing guidelines.

Based on the reasons provided above, Staff recommended that the Planning Commission recommend denial of the request to amend the Comprehensive Plan to change the future land use designation of the applicant's site from RAD to RAD2. Draft findings were also presented to the Planning Commission consistent with the review comments noted above. The Commission ultimately did not support the position taken by Staff and developed a revised list of findings that are included in the Planning Commission report that follows.

**Zoning
Amendment
Staff
Analysis:**

The second part of the request that was considered by the Planning Commission concerns the proposed amendments to the OP Open Space Preservation District as detailed in the applicant's submission materials and summarized by Staff in this report. Many of the changes proposed would apply on to areas designated as RAD2, and in particular, senior-living dwellings would not be permitted outside of land so designated. If approved, the proposed changes would apply to all portions of the City guided for RAD2 development, which includes 103 acres at the western edge of the City along Stillwater Boulevard and a smaller 36-acre area immediately north of 10th Street at its intersection with Manning Avenue. This would open up these parcels for

a similar senior-living or school project.

Looking at the proposed zoning amendments in a general sense, Staff offered the following comments for consideration by the Planning Commission:

- The current OP Ordinance does not contain provisions that would allow densities to exceed the 0.45 units per acre maximum in the code even in areas guided RAD2. At some point, this discrepancy should be addressed so that the densities allowed in the Zoning Ordinance are consistent with the Comprehensive Plan.
- If approved, the proposed amendments would not alter the maximum permitted density in areas guided RAD2, and would primarily amend the types of uses that would be permitted in such areas.
- Rather than amending the current OP Ordinance provisions, Staff would recommend that an overlay zoning district be created for RAD2 that would require compliance with all OP development standards with specific exceptions that would allow higher densities in RAD areas. This approach would leave the current OP Ordinance as-is while focusing a new overlay district only in specific areas to accommodate higher densities.
- The proposed language in 150.180 (B, 2, g) should read “per gross acres of *buildable* land” to be consistent with the current OP requirements.
- Given the allowance for larger buildings up to three stories in height, Staff recommends that the buffer setbacks (Section 150.180 B, 2, d) be left as currently written since a larger buffer should be provided in cases where there is greater potential for dissimilar uses to be located next to each other.
- The Planning Commission may want to consider whether or not Farm Schools should be permitted in all OP developments as the proposed draft would allow.
- The Zoning Ordinance only permits buildings over 35 feet in the BP Business Park and PF Public Facility zoning districts. The maximum height for Senior Housing Buildings as proposed would be 48 feet.
- The OP district standards table should include setbacks from side and rear property lines for Senior Housing Buildings.

The Planning Commission chose to table taking action on the Zoning Amendment, and requested that Staff prepare an alternate to the applicant’s proposal that would create an overlay zoning district instead of amending the existing OP Ordinance. The Commission requested that the same standards proposed by the applicant be used to draft overlay regulations.

With the separation of the concept plan review from the Comprehensive Plan and Zoning Amendments, Staff will not be providing a detailed analysis of the submitted concept plans at this time. These plans were been provided, however, as part of the Commission’s review materials since the application was submitted at one time. The project narratives and required submissions are also intertwined and are being

**Concept Plan
Issues:**

presented in one package of information rather than splitting up certain pieces of information between the two scheduled meeting and hearing dates. Also, the Planning Department has asked for all comments from other agencies and internal staff on the entire application, and all comments that have been submitted to date are included as part of the Council meeting material.

In order to give the City Council, and the applicant, a quick overview of the major issues associated with the concept plans that have been identified to date, please consider the following:

- The Minnesota Department of Transportation has indicated that it will require certain improvements to Highway 5 if access is provided as shown on the concept plan. Specifically, a right turn lane and escape lane for eastbound traffic will be required at the new entrance road.
- The City Engineer has recommended that the concept plan be revised to provide road connectivity to the east and north with the development proposal.
- The water plan does not appear to meet fire flow requirements for the proposed improvements since the new eight-inch pipe as shown on the utility plan connects to an existing four-inch water pipe at the edges of the development.
- The storm water management and drainage and erosion control plan will need to address the City's recently adopted storm water quantity and quality standards.
- A small portion of the site is located within a shoreland district and will need to comply with any applicable shoreland ordinance requirements.
- The City of Oakdale's Fire Chief has been asked to review the plans from a public safety perspective since the applicant is married to Lake Elmo's Fire Chief.
- The proposed landscape plan does not accommodate the minimum number of trees required under the OP Ordinance.
- The community septic system and a portion of the trail system are shown within and power line easement. The City should receive an acknowledgement and consent from the easement holder in order to permit these encroachments.
- Staff would suggest a greater amount of spacing between the proposed tree preservation area and the buildings and roads on the site. The City should evaluate whether or not it is appropriate to use the required open space areas for storm water retention ponds.

A more thorough review and analysis of the proposed concept plans will be forthcoming from Staff should the Comprehensive Plan and Zoning Amendments be approved by the City Council. Should approvals be granted, the City will need to discuss the review schedule with the applicant since no action may be finalized with regards to the Comprehensive Plan until the Met Council has completed its review.

Staff Recommendation: Based on the report and analysis provided above, Staff recommended that the Planning Commission recommend **denial** of the request to amend the Comprehensive Plan to change the future land use designation of 9434 Stillwater Boulevard North from RAD to RAD2. Consistent with this recommendation, Staff further recommended that the Planning Commission recommend **denial** of the proposed text amendments to the OP Open Space Preservation Ordinance.

Pending Council action on these items, a separate recommendation from Staff concerning the OP Development and PUD concept plans will be presented at the next Planning Commission meeting.

Additional Information: Comments have been received for all four aspects of the applicant's request from MnDOT, Valley Branch Watershed District, the City of Oakdale Fire Department, and the City Engineer are attached for consideration by the City Council.

In addition to the applicant's submission materials, staff has also attached an aerial image of the site and Future Land Use Map from the Comprehensive Plan identifying the applicant's site and the two areas currently zoned as RAD2.

Planning Commission Report:

Planning Commission Review and Public Hearing:

The Planning Commission reviewed the request for a Comprehensive Plan Amendment and Zoning Text Amendment and conducted a public hearing on each of these items at its April 26, 2010 meeting. At the meeting, the following feedback was provided to the Commission:

- Tammy Malmquist explained her overall goals and objectives behind the proposed senior living and farm school project. She also introduced Jan Friedrich, who talked about her father's discussions with Mrs. Malmquist concerning the future of this property.
- Tim Freeman with Folz, Freeman, Erickson, Inc. suggested alternative findings in support of the proposed Comprehensive Plan Amendment.
- Seven people spoke in favor of the amendments needed to support the project.
- Councilmember Ann Smith addressed the Commission and reviewed some of the history behind the preparation of the Comprehensive Plan, and in particular, the creation of a separate RAD2 land use designation.
- Eight letters of support were submitted and distributed at the meeting. These letters are included as part of the Council agenda packet.
- One additional letter of support was submitted by a resident who also spoke during the public hearing.
- Staff noted that Ed Nielsen, 9498 Stillwater Boulevard North, had contacted the City via telephone earlier in the week to express his support for the project.

- The project consultant submitted a list of neighbors that had attended a March 31, 2010 meeting conducted by the applicant to discuss the project (seven neighbors were in attendance of this meeting).

The Commission reviewed the Staff recommendation and considered the comments submitted in writing and verbally at the meeting. The Planning Commission developed findings of fact to support the proposed Comprehensive Plan Amendment, and by a unanimous vote of 9-0, recommended that the City Council approve the request to change the future land use designation of the applicant's property from RAD to RAD2. The Planning Commission tabled taking any action regarding the proposed amendments to the OP Open Space Preservation Ordinance; however, and instead directed Staff to prepare an alternate to the applicant's request that would create a separate overlay district with the same standards.

The overlay district to be considered by the Planning Commission would include the following as specific exceptions to the existing OP Ordinance:

- Allowing a density of 2 units per acre.
- Adding Multi-Family Senior Housing buildings and Farm Schools for preschool and school-aged children as allowable uses.
- Reducing the minimum land area required from 40 to 20 acres.
- Reducing the amount of contiguous land required in open areas from 10 to 5 acres.
- Reducing the required buffer setback to 50 feet.
- Adding standards for Senior Housing Buildings.

In developing its findings of fact, the Planning Commission was concerned about setting precedent with the approval of the Comprehensive Plan amendment. The Commission's findings describe some aspects of this site that that the Commission has indicated set it apart from other properties that are guided for RAD development.

A complete record of the Planning Commission's findings is listed as part of the formal recommendation below.

***Planning
Commission
Recommendation:***

The Planning Commission Recommends that the City Council approve the Comprehensive Plan Amendment to change the future land use designation of the parcel located at 9434 Stillwater Boulevard North from RAD (Rural Agricultural Density – 0.45 dwelling units per acre) to RAD2 (Rural Agricultural Density – 2 dwelling units per acre). The Planning Commission further offers the following findings to support this recommendation:

- 1) The current use of this site as a working farm is unique compared to other properties designated for RAD development in the Comprehensive Plan.
- 2) The proposed request will help fulfill a need for senior housing within the community.

- 3) Recent subdivisions in areas guided for RAD development have been approved at a density below the unit levels anticipated in the Comprehensive Plan. The proposed density increase will be offset by reductions that have previously been approved or acknowledged by the City.
- 4) The applicant's site is located in close proximity to public transportation along State Highway 5, and specifically, a bus route that could provide alternate transportation options for seniors.
- 5) The applicant's site is located immediately adjacent to existing R-1 Single Family Residential zoning districts along its southern, eastern, and western boundaries. Other areas guided for RAD development are primarily surrounded by rural residential, agricultural, or public open space uses.
- 6) There has been broad public support for the proposed project and no objections from neighboring property owners have been filed with the City.

cc: Tammy Malmquist, 8549 Ironwood Trail
Folz, Freeman, Erickson, Inc.; 12445 55th Street N



**City of Lake Elmo
Planning Commission Meeting
Minutes of January 13, 2014**

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

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

COMMISSIONERS ABSENT: Yocum and Morreale; and

STAFF PRESENT: Community Development Director Klatt and City Planner Johnson.

Elections:

M/S/P: Dodson/Lundgren: move to nominate Williams Chairperson, vote 7:0

M/S/P: Dorschner/Haggard: move to nominate Dodson as Vice Chairperson, vote: 7-0.

M/S/P: Haggard/Dodson, move to nominate Dorschner as Secretary, vote 7-0.

Approve Agenda:

Agenda accepted as published.

Approve Minutes: December 9, 2013

M/S/P: Dodson/Kreimer, move to accept the minutes as presented, vote: 7-0, with Haggard and Dorschner not voting.

Public Hearing: *Comprehensive Plan Amendment – 9434 Stillwater Blvd.*

Klatt began his presentation by explaining important terminology in the Comprehensive Plan related to rural areas. More specifically, he explained the significance of Rural Area Development (RAD), Rural Area Development – Alternate Density (RAD-Alt), Open Space Preservation District (OP) and Open Space Preservation Overlay District (OP-2). RAD-Alt allows for open space project with an increased density than what is allowed in the rural areas under the standard OP Ordinance.

Providing purpose of tonight's hearing, Klatt noted that the City Council has directed the Planning Commission to hold a public hearing to reconsider the appropriate future land

use designation for the property at 9434 Stillwater Blvd. (TH-5). He noted that the City Council asked the Planning Commission to consider the specific property at 9434 Stillwater Blvd. because the subject property was not included in the City's original comprehensive planning process. While other properties were designated with the RAD-Alt classification to meet the City's required growth forecasts, the subject property was changed from RAD to RAD-Alt through a separate comprehensive plan amendment related to a senior living/farm school development.

To put it simply, the Planning Commission is asked to make a recommendation to the City Council on what is the best future land use category for the subject property.

Klatt moved on to explain further history about the site, including the various iterations of proposed development on the site. Currently, there is no active development application that is valid for the site.

Klatt also provided a description of general site characteristics. The site is immediately north of TH-5. The site is bounded by active farms to the north, with Sunfish Lake Park to the northeast. To the west, the site is adjacent to multiple single family lots that are guided rural single family. In addition to showing an aerial map, Klatt presented the future land use map of the Comprehensive Plan, specifically zooming in on the area surrounding 9434 Stillwater Blvd. N.

To aid the discussion, Klatt added that the Planning Commission has reviewed the rural development areas of the City at previous meetings. More specifically, the Planning Commission has discussed 1) a desire to look at development options for smaller rural parcels. 2) the growth forecast will likely be lowered and less growth is anticipated in these rural development areas. 3) the RAD alt category could be eliminated as it was initially created to accommodate the Cities 2030 forecast numbers. 4) part of the Planning Commission 2014 work plan is to look at rural development areas on a City wide basis.

Klatt retraced the history of the original comprehensive plan amendment action. The staff recommended denial of the comp plan amendment and provided findings related to denial. The Planning Commission unanimously recommended the comp plan amendment for approval. The City Council affirmed the Planning Commission's recommendation with a 4-1 vote.

Klatt highlighted the role of the planning commission in holding public hearing on land use items. In addition, Klatt provided a list of what is appropriate for the public hearing before the Planning Commission. For example, the action before the Planning Commission is focused on the appropriate land use category (RAD or RAD-Alt) for the subject property, and not focused on specific development proposals.

Finally, Klatt presented two sets of draft findings for consideration by the Planning Commission. Klatt presented the draft findings from the original staff report that recommended denial. He also presented the draft findings that the City Council made when approving the comp plan amendment in 2010. He noted that staff is not making a specific recommendation at this time. He presented the Planning Commission with two options. 1) Amend the Comprehensive plan to change the subject property from RAD-alt to RAD 2) Make no change to the Comprehensive Plan and leave the subject property as RAD-alt.

Dorschner asked if the site is planned for future sewer service. Klatt noted that the site is not currently guided for sewer per the comprehensive plan but there is City water.

Haggard asked about the land uses that are allowed in RAD. Klatt noted that it is primarily single family homes, with a small allowance for townhomes.

Williams invited the landowner to speak.

Janice Green provided background regarding the history of the site. She noted that the original landowner was presented with the idea of making the original farm into a farm school. The idea of a farm was strongly supported by the land owners and their father. She wanted it on the record that the landowners are requesting the land use guidance remain RAD-Alt.

Public Hearing opened at 7:47pm.

Larry Weiss, 9302 Stillwater Blvd. N., stated that he moved to Lake Elmo to enjoy open space and rural lifestyle. He noted that he originally supported the farm school, but soon changed his mind when the density of the senior living component increased. He also noted that the original development proposal has fallen through. Due to this status, the land use guidance should be changed back to RAD. He stated that he is willing to work with the property owner on other development projects, but not higher density. He also highlighted some polls or surveys that indicated that the surrounding neighbors were strongly opposed to RAD-Alt and the senior living component.

Ed Nielson, 9498 Stillwater Blvd. N., stated that he moved to a property adjacent to the Friedrich farm in 1997. Nielson provided background information of how the farm school and senior living proposal developed. He also presented a comparison chart of some analysis he completed of surrounding senior living developments. He commented that 98% of the surrounding neighbors are against the previous development proposal.

Stewart Helgeson, 11150 12th Street N, stated he has lived in Lake Elmo for 15 years. He commented that it makes no sense to change the land use guidance back to RAD until a project is on the table. If a development proposal comes forward, then the comp plan would have to be amended once again. Procedurally, this does not make a lot of sense.

Public hearing closed at 7:56pm.

Haggard stated that it was previously explained that the RAD-Alt designation was necessary on this site due to the numbers for the Met Council. The projections have decreased so there is no need for the RAD-Alt designation on this property.

Williams stated he supports the motion but would like to add the following findings of fact. 1) the 2010 Comp Plan amendment was in part based on a specific development that no longer exists 2) the action in 2010 is very similar to a spot zoning, 3) the RAD-Alt designation is no longer needed to meet the Met Council projections 4) the neighbors supported the change at the time based on a misunderstanding of the information and their support no longer exists 5) higher density development should be provided with public utilities.

M/S/P: Haggard/Dorschner, move to recommend an amendment to the Comp Plan to change the land use designation from RAD-Alt to RAD at 9434 Stillwater Blvd. N. based on the findings in the Staff Report, Vote: 7-0, motion carries unanimously.

Larson asked if farm school can be an allowed use in RAD. Klatt stated that there would have to be an amendment to the zoning code to specifically make it an allowed use.

Haggard asked if the farm school could be done by CUP. Klatt stated that it would need to be specified as a conditionally allowed use.

Lundgren asked if there was currently a farm school in Lake Elmo. Klatt stated that there is one in West Lakeland.

M/S/P: Williams/Dorschner, move to amend the motion to include 5 additional findings of fact as provided by Chairman Williams to staff, Vote: 7-0, motion carries unanimously.

Kreimer noted that he supports both motions, but wanted to add that the City still has to meet certain amount of development as guided by the MOU.

Dodson stated that having a similar plan locate here does not make sense so it is important to change it back.

Dorschner stated that without changing the zoning back, the City is basically saying that the higher density is appropriate here.

Business Item: *2014 Planning Commission Work Plan*

Klatt talked about the work plan and stated that they come up with an aggressive plan and then prioritize the items on the plan with the knowledge that not everything will probably get done.

Business Item: 2013 and 2014 Work Plan

Klatt presented the 2014 Work Plan and stated that there a number of large scale items. Those include general comprehensive Plan initiatives, reducing or eliminating the MOU, updating the Village AUAR which is due every 5 years, updating the airport zone, becoming more active with the Parks Commission and it will be a busy year for platting and development reviews.

Haggard asked if the Planning Commission could be provided with the City Council Work Plan to better understand the big picture. He stated

Larson noted that he is the liaison with the Parks Commission. He is available as a resource, and is willing to help with the communication between the Commissions.

The Planning commission reviewed the Work Plan

Williams asked that specific development ordinances and general performance standards should be a higher priority.

Dorschner noted that outdoor wood burning furnaces can present a real problem if unaddressed by the City's ordinances. He suggested raising the priority.

Dodson asked about the permit works planning software. He asked if there is a public component. Klatt noted that the City at this time is only using the Building Permit Module. However, there may be opportunities in the future to allow for more external user interaction with the website and software.

Dodson asked what kind of impact the volume of development applications that are on the horizon can have on the staff. Klatt stated that it is hard to prioritize because there are time constraints on applications. The staff has put policies in place so the applications are processed more timely.

Dodson asked about a market study for downtown. Klatt explained that the market study will be used to determine what types of uses and businesses we want to see in downtown. Dodson would like to see this sooner than later and would like the priority to be a 2.

Williams asked about the Lake Elmo Ave Village surface water study with Washington County. Johnson stated that this has started so should be listed as in process. The crux

of this is a drainage study and to plan for the reconstruction of the road from 30th to TH5 and includes some theming elements.

Dodson asked about the newspaper article indicating that the trend is to move back to the City. Could some of that data help with getting rid of the MOU? Klatt stated that it could and that is probably why the forecast numbers went down.

Williams wants to see the village parkway of the railroad crossing solved. Klatt has been working with the Engineers on this issue. The next step will be the application to create a new opening and have public meetings.

Dodson would like to see the review of public community septic systems policy be a higher priority. He would suggest a 2 or 3. Klatt stated that this refers to the 201 systems which we haven't put good policies in place for. Dodson would like to add an item for private community septic systems to the list. Klatt stated that part of the oversight has turned the compliance of these systems over to the County.

Dodson asked about the disaster plan. Johnson stated that it is something the Planning Staff is working on in conjunction with the Building Official.

Business Item: *Zoning District Cleanup Amendment*

Johnson talked about the cleanup to remove all outdated and unnecessary zoning districts. This cleanup will improve the organization of the document. The cleanup will remove 26 zoning districts, 19 of which are holding districts. Johnson went through which ones are being removed and which ones are being kept and why.

Updates and Concerns

Council Updates

1. The City Council confirmed the findings for the District 916 CUP at the December 17, 2013 meeting.
2. The City Council adopted the Village Land Use Plan at the December 17, 2013 meeting.
3. The City Council approved the Boulder Ponds PUD Concept Plan at the December 17, 2013 meeting.

Staff Updates

1. Planning Commissioner Terms
2. Planning Commissioner Journal Articles
3. Upcoming Meetings

- a. January 27, 2014 – 2 public hearings and one sketch plan
- b. February 10, 2014
- c. February 24, 2014

Commission Concerns - None

Meeting adjourned at 9:40 pm

Respectfully submitted,

Nick Johnson
City Planner



MAYOR & COUNCIL COMMUNICATION

DATE: January 21, 2014
REGULAR
ITEM # 14

AGENDA ITEM: Community Development Department 2014 Work Plan
SUBMITTED BY: Kyle Klatt, Community Development Director
THROUGH: Dean Zuleger, City Administrator
REVIEWED BY: Planning Commission
Nick Johnson, City Planner

- | | |
|--|--------------------------------|
| <u>SUGGESTED ORDER OF BUSINESS:</u> | |
| - Introduction of Item | Community Development Director |
| - Report/Presentation..... | Community Development Director |
| - Questions from Council to Staff..... | Mayor Facilitates |
| - Call for Motion | Mayor & City Council |
| - Discussion..... | Mayor & City Council |
| - Action on Motion..... | Mayor Facilitates |

POLICY RECCOMENDER: Staff and Planning Commission

FISCAL IMPACT: Not yet specified. Certain items on the work plan may require outside assistance. Staff will seek Council direction as appropriate prior to utilizing such assistance.

SUMMARY AND ACTION REQUESTED: The City Council is being asked to review and accept the Community Development Department’s annual work plan for 2014 that has been prepared with input from the Planning Commission. The Council is asked to review the plan and comment on it so that the Planning Commission and Council are communicating about priorities at the start of the year. The primary intent of the work plan is to help prioritize the projects the Planning Commission will be reviewing over the course of 2014, and to also help keep the Commission informed about the internal planning related activities and projects that will be undertaken by the Staff over the coming year. This is a working document that provides guidance to the Commission and Council yet has the flexibility to respond to priorities as they emerge. It will also help the Commission gauge its progress at achieving some of its goals for the year.

The plan has been drafted in a format similar to the one used for previous years, using the format and codes that were include in last year's work plan. Please note that this document is intended to augment the City-wide work plan recently adopted by the Council, and all land use items on the Council's work plan have been assigned a high-priority designation in the attached document.

The recommended motion to act on this is as follows:

“Move to accept the 2014 Community Development Department Work Plan”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT: The work plan as recommended by the Planning Commission was prepared using the previous year's plan as a template and tracking any changes (deletions and additions) that were used to create the new document. The version that is attached for consideration by the Council has had all revisions made in order to present a final, clean document for review.

The Planning Commission reviewed the work plan at its January 13, 2014 meeting and recommended approval with a minor modifications that have since been made to the document.

BACKGROUND INFORMATION (SWOT): Adoption of a work plan helps provide for an increased level of accountability within the department and also helps to ensure that the Planning Commission and City Council are in agreement concerning the overall priorities for the Community Development Department for the year. The one drawback to the plan that has been recommended is that it is fairly extensive, and not all items are likely to be completed by the end of the year. In addition, there is potential for the Planning Commission to receive a much higher number of land use applications this year than has been submitted in previous years, which would make achieving some of the broader goals somewhat difficult.

RECOMMENDATION: Based upon the above background information, Staff report, and Planning Commission recommendation, it is recommended that the City Council accept the 2014 Community Development Department Work Plan by undertaking the following action

“Move to accept the 2014 Planning Commission Work Plan”

Alternatively, the City Council may make modifications to the Plan as it deems necessary and adopt the work plan with modifications.

ATTACHMENTS:

1. 2014 Community Development Department Work Plan

2014 Community Development Work Plan

Prepared by the Lake Elmo Planning Commission: 1/13/14

Accepted by the City Council: 1/21/14



Key:

Status:	C – Complete IP – In Progress
Date: (Completion Goal)	A – 0 to 3 months B – 3 to 6 months C – 6 to 9 months D – 9 to 12 months
Admin:	Staff Projects/Initiatives
PL:	Priority Level (1-5 with 1 being the highest priority)

Project and Description

Date (Months) PL Status

ZONING INITIATIVES

Zoning Map Updates

- Adopt map changes necessary to implement Comprehensive Plan amendments for Village A 1 IP
- General map updates and corrections C 3
- Implement zoning map changes for specific developments in the Village and I-94 Corridor. B 2

Zoning Permit Tracking

- Develop system for tracking of planning and zoning permits, including Conditional Use Permits, Interim Use Permits, Variances, Planned Developments, and other applications D 3

Zoning Text Amendments (Zoning Code Update)

- Accessory buildings A 1 IP
- Exterior storage B 2
- General performance standards C 1
- Specific development standards C 1
- Open Space Ordinance update (OP and OP-2) D 3
- Public Facilities ordinance amendments D 4

Zoning Text Amendments (General)

- Outdoor Lighting Ordinance Revisions A 1
- Animal ordinance A 1 IP
- Outdoor Wood Burning Furnaces D 5

Form-based Code

- Prepare a scope of work to be accomplished including the need for outside assistance A 1
- Draft a form-based code to supplement the Village Mixed-Use zoning district based on the scope of work C 2
- Incorporate design standards from the Design Standards Manual as part of a form-based code C 2

Airport Zoning

- Resolve zoning conflicts with the Metropolitan Airports Commission, Met Council, MnDOT, and Washington County D 1
- Implement City airport zoning regulations for the airport safety zones within the Village Planning Area D 2

Permit Software Implementation

- Complete PermitWorks database for City parcels B 4
- Add Planning Module from PermitWorks to track planning and zoning applications B 1

Sign Code Update

- Review sign code for consistency with new zoning districts and economic development goals and objectives D 3

Subdivision Ordinance

- Review ordinance for consistency with ongoing zoning amendments B 2

Development Reviews

- Savona Final Plat and Developer's Agreement A 2 IP
- Boulder Ponds Preliminary and Final Development plans B 2 IP
- Landucci Goetschel Property development B 2 IP
- Ryland/Pratt Homes Landucci Property development B 2 IP
- Hammes Property development C 2
- Chase Easton Village (Village) sketch plan review C 2 IP
- Engstrom Village development C 2
- Gonyea Homes Village development C 2
- I-94 Commercial development C 2

PLANNING INITIATIVES

Village Area Planning

- Prepare Village Area AUAR five-year update A 1
- Participate in Lake Elmo Avenue/Village Storm Water study with Washington County C 2 IP

• Conduct Village Area market area study through U of MN Extension Service	B	2	
• Submit application for new Village Parkway railroad crossing	D	1	IP
• Develop street design and cross section for Village Parkway	A	1	IP
I-94/10th Street Corridor Planning			
• Develop street design and cross section for 5 th Street minor collector road	A	1	IP
General Comprehensive Planning			
• Reduce the population expectations to 18,000 by 2040	A	1	IP
• Eliminate the Memorandum of Understanding with the Met Council	B	1	IP
• Review Comp Plan for consistency with I-94 Corridor and Village land use plan amendments	D	4	
• Prepare rural development area study to consider future development options for rural areas	C	2	
• Review Waste Water chapter of Comprehensive Plan in conjunction with rural areas review	D	3	
• Consider Comprehensive Plan Amendment for "Friedrich Property" on Stillwater Boulevard	A	1	IP
• Consider Comprehensive Plan amendments to eliminate remaining RAD-ALT land use parcels	C	2	
• Review individual projects for compliance with the Comprehensive Plan	C	3	
Park Planning			
• Create a master plan for selected City parks, provide assistance to Parks Commission as needed	D	3	
• Review park plans for individual developments with the Park Commission	D	2	IP
• Conduct comprehensive mapping of existing private and public trail systems (using GPS where appropriate)	D	4	
• Work with the Trail Sub-Committee to identify alignments and funding for future priority trail segments, including the Lake Elmo Regional Trail	C	2	IP
• Update Park Plan in City's Comprehensive Plan	D	2	
• Update Trail Plan in City's Comprehensive Plan	D	2	
Capital Improvement Plan			
• Planning Commission review of 2014-2018 Capital Improvement Plan for consistency with the Comprehensive Plan	D	2	

General Planning Studies

- Conduct review of 201 (community) septic system policies and management practices. Develop system for proper oversight, billing, and maintenance of community systems. D 3 IP
- Develop list of contacts and resources for private community septic systems D 3

Economic Development Support

- Provide support and assistance to City Administrator and Economic Development Authority (EDA) as needed for economic development activities D 3
- Maintain list of business in Lake Elmo on City web site D 5

ADMINISTRATIVE INITIATIVES

Developer's Agreements and Escrows

- Fully implement developer's agreement and escrow process A 1 IP

Building Division

- Monitor status of staffing within building inspection department; consider staffing needs in 2014 and beyond C 3
- Develop disaster preparedness manual for Lake Elmo D 3

Gateway Corridor Commission

- Act as City representative for Technical Advisory Commission A 3
- Provide support for environmental study and alternatives analysis review for Lake Elmo/Woodbury alignment

Permit Tracking Software

- Complete move of planning file system to PermitWorks software A 3

Code Enforcement

- Follow updated code enforcement program with the Building Inspector as the City's code enforcement officer B 3

File Archiving and Management

- Scan Planning and Building Department files into the City laserfische system D 3

Engineering Projects

- Provide planning assistance as needed for regional trunk sewer project A 2 IP

Policy and Procedures Review

- Streamline and improve policies and procedures for the handling of routine matters (variances, site plan review, setbacks, etc...) C 1 IP

TRANSPORTATION PLANNING PROJECTS

- Participate in Lake Elmo Avenue (CSAH 17) study with Washington County. C 2 IP
- Participate in Manning Avenue (CSAH 15) study with Washington County. B 2 IP
- Study Village/TH-5 pedestrian facilities and connections, including potential Stillwater High School trail C 3